

3 1761 11895371 0



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

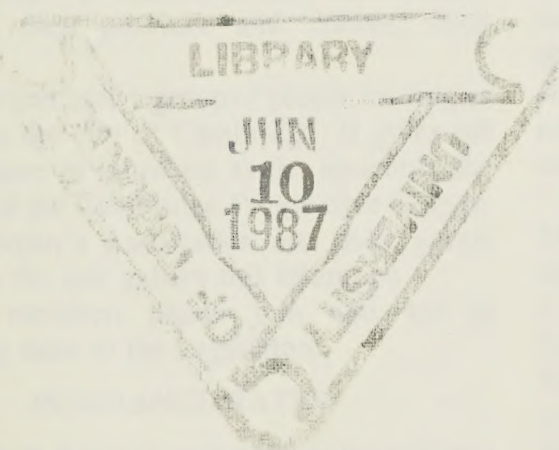
<https://archive.org/details/31761118953710>



Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 33rd Parliament
Monday, June 23, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC





No. 37

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, June 23, 1986

The House met at 2 p.m.

Prayers.

MEMBERS' EXPENDITURES

Mr. Speaker: I beg to inform the House that I have today laid upon the table the individual members' expenditures for the fiscal year 1985-86. In case members are interested, they will find their copies placed in the desks in the chamber.

MEMBERS' STATEMENTS

VISITORS

Mr. Barlow: In every community, there are people who not only take care of their own family and home but also extend themselves way beyond that responsibility and find time and energy to show an interest in their community, their city, their province and, indeed, their country.

We have just such a group of people visiting us today from the city of Cambridge. It gives me great pleasure to introduce to the assembly the members of the Cambridge Progressive Conservative Women's Association and their guests who are in the east gallery this afternoon.

Would members please join with me in welcoming them to the Legislature.

INSURANCE RATES

Mr. Swart: I want to recognize in the gallery a group of people from my riding. This group is sponsored by the Liberal women's association of our riding. They are as concerned about insurance as everybody else. Although the doctors' strike, Chernobyl and South Africa may have pushed the insurance crisis out of the lead stories, let us make no mistake about it; it is ongoing and it is escalating.

A few days ago, I had a call from Gauley-Gage Cartage Ltd. of Toronto, which has approximately 80 trucks and an equal number of employees. In the trucking industry, insurance premiums are frequently levied as a percentage of gross revenue. In the case of Gauley-Gage, the rate was \$1.98 per \$100 revenue in 1984, \$4.88 in 1985 and this year, two days before the expiry date, Mr. Gauley was notified that it would be \$8.85 per \$100 of revenue. That is not all. The coverage will be reduced from \$5 million to \$1

million, and while there was no deductible previously, it is now \$2,500. Further, he had to pay much more of the premium up front.

John Gauley said, "You can quote me as saying that it can put me out of business." There is little doubt that the lack of any investigation or objection by the Minister of Consumer and Commercial Relations (Mr. Kwinter) has led to the situation where these companies are still increasing their premiums.

BRAMPTON FESTIVAL

Mr. Callahan: It gives me great pleasure to rise on this occasion to indicate to the people of this Legislature as well as to the people of Ontario that the great city of Brampton will be celebrating a tremendous ethnic event. The formal opening will be on June 30, but the events themselves will take place on the weekend of July 4, 5 and 6. The pavilions are about 16 in number. We will have almost every ethnic community represented during this festival time.

We are very pleased as well to have the Minister of Citizenship and Culture (Ms. Munro) open the India pavilion on Friday evening, July 4, at seven o'clock. It is particularly significant because one of the young ladies involved in the Air-India crash was a dancer at the festival the year before that crash. We are honoured to have the minister come. I invite everybody from Ontario, even from cities less fair than Brampton, to attend.

INSURANCE RATES

Mr. J. M. Johnson: I wish to advise the House of a very serious problem pertaining to the unavailability of liability insurance coverage for our agricultural society fall fairs.

Law Insurance Brokers Ltd. has advised the Ontario Association of Agricultural Societies that it has approached all insurance companies it deals with and it has been declined liability insurance by all.

Len Patterson, president of the association, from the neighbouring riding of Grey, contacted me over the weekend and asked whether I would make the government aware of its very serious concerns. Approximately 120 agricultural societies were insured by Law Insurance Brokers. Mr.

Patterson states very emphatically that never before in the history of the association has the board had to deal with a more serious matter.

As there are 17 fall fairs in and adjacent to my riding of Wellington-Dufferin-Peel, I am very concerned that many of these fairs will have to be cancelled if the government does not take some action to help the fall fair boards obtain the necessary liability insurance to protect themselves and the general public. On behalf of rural Ontario, I appeal to this Liberal government to take some immediate action to resolve this very serious problem.

SMALL CLAIMS COURT

Mr. Ramsay: I bring to the attention of the Attorney General (Mr. Scott) my dissatisfaction with his tardiness in dealing with the inequities of how much money one is able to go after in the small claims court system.

I refer him—and I wish I had my glasses here for effect—to the question I asked on December 9, when he said it was very high on his list of things to do. I ask him now, seven months later, whether he will look into this. I am now getting letters from small businessmen who feel it is patently unfair that people outside Metro cannot avail themselves of a \$3,000 limit, as they do in Metro, and that businessmen, chambers of commerce, etc.—for whom I am the spokesman right now, by the way—are saying they feel that maybe they can go after it through the Charter of Rights and Freedoms. It is something that should be addressed.

An hon. member: The clock is still ticking.

Mr. Speaker: Order. Two more seconds.

Mr. Ramsay: Instead of a \$3-million system, why do we not go back to the good old days and have a circuit judge routine so that one would know in some of these rural areas that every two or three months one could put in a bigger claim and we would not have to have all the facilities? We have the facilities there. Let us not go for the big answer. We could be looking at some simpler systems.

POLISH CENTENNIAL

Mr. D. R. Cooke: One hundred years ago the concerns of the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) would not have been needed, because 100 years ago we did not need insurance companies. We were much more attuned to the needs of our fellow man.

This week Canada's oldest Polish society is celebrating its centennial. The St. Joseph's and St. John's Society began operating in Kitchener—

Berlin at that time—in 1866, before insurance companies were common. It was known as the Mutual Assistance Society Under the Protection of St. Joseph and for 100 solid years that organization has brought help to the poor, to the needy, perhaps to the needy for the short-term, and to new immigrants of Polish extraction in the Berlin and Kitchener area. It would be appropriate on behalf of all members of the House today to say, "Pozdrawiam i gratuluje."

RAPID TRANSIT

Mr. Gregory: On June 5, I put forward resolution 38 in support of the proposed rapid transit line along Eglinton Avenue. This line, which would service residents in and around the city of Toronto, was given unanimous support by members of this Legislature.

The proposed Eglinton rapid transit line also has the support of the cities of Etobicoke, York, Brampton and Mississauga as well as Peel region, the Harwood Ratepayers' Association, the York Federation of Ratepayers and the Board of Trade of Metropolitan Toronto. As stated in my resolution, this rapid transit line is critical to the future wellbeing of so many individuals, businesses and industries both inside the city of Toronto and in neighbouring cities, regions and municipalities.

The Minister of Transportation and Communications (Mr. Fulton) is on record as having said the province would give priority to future transportation plans that deal with regions rather than individual municipalities.

Metro council, however, has indicated its support lies with a Sheppard line, which would, in fact, service only the city of Toronto.

Tomorrow, members of Metro council will meet to vote on which of the three proposed lines should be given the green light.

Because the Eglinton line is the only one to meet the directive of the minister and because the minister controls up to 75 per cent of the funds required to implement the chosen route, I urge him to use his good offices to ensure that tomorrow's council vote is one that will, as he has so aptly put it, "promote balanced development" in and around Metro Toronto.

The only line that will do that is the Eglinton line.

VISITOR

Mr. Speaker: I have just been informed that we have Mr. John Parry, member of Parliament for Kenora-Rainy River, in the members' gallery. Please join me in welcoming him.

2:12 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

EXTRA BILLING

Hon. Mr. Scott: Last Friday, after many days of debate, Bill 94 was passed by the members of this House and later that day proclaimed into law. It is now the law of this province and it is the government's intention to enforce the law just as it enforces all other provincial statutes.

I am very much aware, however, that many of our doctors strongly disagree with Bill 94. Dr. Railton, president of the Ontario Medical Association, has publicly indicated that the OMA desires the question of the constitutionality of the legislation be argued before the courts as soon as possible.

The government is mindful of the very strong view of the OMA that the legislation is unconstitutional. This government disagrees with that position. We believe the Constitution Act and Charter of Rights permit this government to determine the manner in which our citizens should pay for the publicly funded health care system of the province. Notwithstanding that view, we are prepared to do what we can to ensure that the OMA's case is heard as quickly as possible by the appropriate court.

There are two possible ways to achieve this. The first is for the OMA itself to apply to the court for a declaration that Bill 94 is unconstitutional. The OMA has previously indicated that it will follow this course of action. The second method, and one we are prepared to consider, is for the government to refer the bill to the Court of Appeal for a decision as to its constitutionality pursuant to section 19 of the Courts of Justice Act.

The OMA, through its legal counsel, will undoubtedly want to review at length the various aspects of both routes before deciding which method it prefers. The choice of the best method is a complex one. For example, the Court of Appeal is usually more restrictive in reference cases about the range of evidence it will hear. In those circumstances, the OMA may, on reflection, decide that the application route, the first route, is preferable because it allows more scope to lead evidence of the impact which Bill 94, it is alleged, will have upon both individual members of the profession and the profession as a whole.

My officials and I, however, are prepared to meet with the OMA at its convenience to discuss the methods by which the constitutionality of Bill 94 can be tested. The OMA believes that this bill

raises a serious constitutional issue. We believe that the OMA is entitled to an early resolution of that question, and as Attorney General I will do everything in my power to expedite the court challenge in a manner which is consistent with this government's desire, and the apparent wish of the OMA, to have a quick, full and complete hearing.

Mr. Pope: I would like to reply to the statement of the Attorney General with respect to Bill 94.

I note with regret that neither the Premier (Mr. Peterson) nor the Minister of Health (Mr. Elston) has reported today to this Legislature or to the people of this province on the state of affairs in our hospitals and in the giving of health care to the people of this province. At a time when the health of thousands of Ontario residents is at stake, there is no statement from this government on the situation as it exists.

The truth of the matter is, in spite of the assurances from the government and the third party, the strike is not over with the passage of Bill 94. The issue has not been resolved at all, as the Attorney General admits through his statement today.

What we got from the Attorney General today was not a method of resolving the dispute between the doctors and the government, but more legal flim-flammy, a remote analysis of legal options and processes some time down the line. We have today an offer to meet with the Ontario Medical Association representatives from the same government that refused to meet with it over the past four weeks, that refused to pick up the phone and that refused to appoint a mediator. Now it has the gall, after the passage of legislation, to offer to have a meeting to analyse with the OMA its legal options. In the meantime, the Attorney General is going to enforce fully the provisions of Bill 94.

The option of putting this bill in a constitutional reference was available to this government from the time of first reading. It could have exercised that option in December and had the constitutionality of this legislation resolved before third reading of the bill. It chose not to do so. It chose to continue its confrontation with the doctors. Again, the health of thousands of people in this province is at risk because of the government's strategy and attitude of confrontation towards the doctors of this province.

Do we have greater accessibility in this province today, reminding ourselves that the OMA offered last fall to guarantee accessibility to seniors and those who are financially disad-

vantaged and for emergency room services? Do we have more accessibility today as a result of Bill 94? Not one whit. Thousands of people are not having operations performed and are not having medical treatments undertaken because of a withdrawal of services for which this government has to bear responsibility. Thousands of Ontario residents are suffering in fear today because of this government's attitude and the way it has handled this matter.

Mr. Rae: I want to comment briefly on today's statement by the Attorney General with respect to the reference to the court. I do not think any of us can possibly object to doing what needs to be done to see that the Ontario Medical Association's legal objections are brought to the attention of the Court of Appeal as soon as possible. At the same time, it is fair to say the overall legal situation is one that is in desperate need of clarification.

I know the Attorney General is familiar with letters that are sent out by the College of Physicians and Surgeons of Ontario, since they are normally drafted by legal counsel to the college and the Attorney General was legal counsel to the college at one time. He will be aware of the letter sent out by the college to its members as recently as last Thursday, which said:

"We understand that our society accepts, as a legitimate form of protest, the right of groups to withdraw their services with resultant public inconvenience in order to promote certain changes or results considered beneficial to the group interest. The issue now before you and your council is to ensure that such protests are made without endangering patient life or health."

I am interested, as I know the Attorney General will be, in this statement of law by the college of physicians and surgeons. It is also interesting that it apparently applies to doctors but not to people who cook the meals or who clean the floors in hospitals. It does not apply to people who work in nursing homes or to nurses who work in our public hospitals. It apparently does not apply to anybody else except the doctors, according to the college of physicians and surgeons.

I also find it interesting with respect to the legal situation that in no communication of the college of physicians and surgeons does it mention those specific sections of the Health Disciplines Act and the Public Hospitals Act that it has an obligation to enforce. In their letter to the members of the college, they manage to touch upon many subjects, but they do not manage to

relate directly to the members of the college precisely what aspects of the law they are expected to maintain.

Just as we are in favour of seeing that the college—that the Ontario Medical Association—excuse me, I almost said the college of physicians and surgeons, and we certainly want to keep that distinction between the OMA and the college very clear in all our minds since from day to day it becomes more and more difficult to tell.

We are least entitled to say that just as it is the job of the government to make sure a constitutional reference is referred as quickly as possible to the Court of Appeal, so is it the duty of the government of Ontario to clarify for the benefit of the people of the province precisely what the legal situation is, what rights the patients have, what rights physicians have, what rights the public has and just how the government of Ontario intends to enforce and ensure the rights, which rights now are distinctly up in the air, of all the partners in the health care system.

TRESPASSING

Hon. Mr. Scott: I have a second statement in which I want to advise the House of another of this government's initiatives in the field of race relations.

For a number of years, concerned individuals and groups have suggested that unduly restrictive and occasionally discriminatory enforcement of the Trespass to Property Act is occurring in relation to youth, and particularly minority youth.

As members will recognize, this is a sensitive and important issue. It is not easy to establish a fair balance between the rights of property owners to control the use of private property and the right of others to fair treatment in the use of property to which the public customarily has access.

This is not a problem which can be solved from within the confines of Queen's Park. Rather, it is one which must be reviewed and assessed in the light of a detailed investigation of the concerns of youth, particularly minority youth, owners and managers of private property and representatives of those who enforce the present law.

Accordingly, I have appointed a short-term study of this problem. Mr. Raj Anand, a highly respected Toronto lawyer with experience in this field, has agreed to review the matter in detail and to report his findings and recommendations to me by March 1, 1987. Mr. Anand is in the member's gallery, and I would ask the House to acknowledge his presence and to wish him well.

This government intends to listen to the concerns of minorities and to the recommendations of Mr. Anand. Where we can act quickly, we will. For example, on race relations and publicly assisted housing, where we inherited the previous administration's completed review, we took appropriate decisions within months of assuming office. There are other examples of that kind of activity.

I am confident that Mr. Anand's inquiry will provide an informed basis for creative and responsive law reform in this important area.

TOURISM

Hon. Mr. Eakins: It appears that this year Ontario will be more popular as a summer tourist destination than in the past, particularly for visitors from the United States.

I am sure Americans recognize the marvellous opportunities for vacationing in Ontario. They know because our government's marketing and advertising initiatives have been aggressive this year, but we are all aware that our increased popularity is also partly a result of international tensions.

This is no time to become complacent. We must redouble our efforts to make Ontario a truly incredible and unforgettable place to visit, so that tourists will come not only this year but also next year and the year after.

Advertising by word of mouth is what we are after and the best way to achieve that is for all of us in Ontario to be pleasant, helpful and friendly to all our visitors.

As the throne speech and the budget indicated, the Ministry of Tourism and Recreation will be mounting a tourism hospitality and awareness campaign. It will be developed this year to be put in place just before the peak tourist season next year. The overall objective of the campaign will be to improve the quality of service to visitors to Ontario. This includes everything from receiving fair exchange on the currency to friendly, courteous service.

We will train managers and owners in the tourism industry to train their staffs. We will provide leadership guides and employee hospitality kits for participants and will aim to increase everyone's awareness of the importance of tourism to our economy.

Our training program and awareness campaign will cost approximately \$1.5 million to develop this year. We will be working closely with our client groups over the next several months to structure this initiative to meet their needs.

I have advocated this type of initiative over the past 10 years in this Legislature, so I am especially pleased to see our government take this very important step. I am convinced of the demand for this type of program and I am confident it will turn many one-time tourists into repeat visitors for years to come.

Mr. Rowe: We welcome the tourism hospitality and awareness program of the Minister of Tourism and Recreation. It is interesting that the minister has been in office for one year, that it will take one year to develop the program and that it will not be in effect until next year. It will be three years after he took office before we see this much-touted program. I hope our American visitors can wait.

It is true the tourist trade is great this year, but the government got lucky. Overseas terrorism and a 38 per cent to 39 per cent exchange rate on the American dollar have helped a great deal. The minister cannot take all the credit, or even a great deal of it, for the tourism season we have. I might remind the minister we had numerous marketing programs and commercials that won international awards, and we used real scenes.

Mr. Hayes: I want to compliment the Minister of Tourism and Recreation for his efforts in trying to encourage and increase tourism from our American friends. However, if the government truly wanted to improve on that industry, perhaps the minister should talk to some of the other ministers. Let us do something serious about lowering the price of gasoline in this province, and there will be lots of tourism in Ontario.

AIR-INDIA DISASTER

Hon. Mr. Peterson: I rise today to commemorate and honour the memory of the victims of one of the worst air disasters of our time, the crash of Air-India flight 182.

This senseless tragedy stunned the world. Two hundred Ontario citizens, Canadian nationals of Indian descent, were killed. Eighty-four families in this province were touched directly. All of us shared their grief.

In that context, I would like to call to the House's attention the presence in the gallery of the consul general of India, Surinder Malik, and several members of the community. We all welcome him warmly.

On the first anniversary of the Air-India tragedy, I would like to reaffirm the government of Ontario's support of the families of the victims.

I am gratified that through co-operation with the office of the federal Secretary of State and with the help of the East Indian community, Ontario has been able to help ease the traumatic after-effect.

At this time, I would like to thank those counsellors and volunteers who assisted victims' loved ones and provided them with legal advice and financial and family counselling.

There are still many ways in which we can help. The Ministry of Citizenship and Culture is still working to help families meet their long-term needs. With the Canadian Mental Health Association, the ministry has established an advisory committee that meets every three months with representatives of a committee established by the families themselves. This is a transitional support system which will lead to the development of a self-help group and will also make available individual counselling on a long-term basis.

Today, many loved ones of the victims are in Cork, Ireland, for the first anniversary memorial service. Ontario will be represented by Thomas Wells, Agent General of Ontario House, London, England.

As they commemorate the disaster and pay respects to the victims, I know I can say with assurance that the thoughts of all of us are with them.

Mr. Harris: On the anniversary of this very sad and tragic day, and with special guests in the gallery, I suggest it would be appropriate for the leaders of the two opposition parties to respond at this time.

Mr. Speaker: Agreed? The Leader of the Opposition.

Mr. Grossman: We in this party want to join in the sentiments expressed by the Premier (Mr. Peterson) to our fine consul general, who is with us today. On these occasions, we can hardly muster words which can adequately express to the families, friends and relatives of those who were selected by fate, and by unknown terrorists, to be the innocent martyrs in a very tragic circumstance.

One shudders when one thinks of the shattered lives of families, and plans which were shattered a year ago on flight 182. I suppose all of us in public life are jolted now as we were a year ago. One hopes that the very least we can do in these circumstances is to be jolted into a rededication of ourselves to do everything we possibly can to fight terrorism, certainly to take all steps to fight the tyranny and the circumstances which give solace and support to those who find the slightest

crack in the determination of people in every nation to fight this sort of terrorism.

When we are jolted back like this, it seems to me we must all, as legislators, look back to the underlying reasons and the circumstances which give rise to this, and in this country in particular, a country with a reputation surpassed by none for understanding, tolerance, looking after one another, keeping this kind of tragedy out of the bounds of our country and fighting it in whichever country or land it is found. In this country and in this province in particular, we must not wait for the anniversary of the death of 329 innocent men, women and children to continue that fight to make sure that neither our land nor any land becomes the scenery, the backdrop or the home for this kind of tragedy and terrorism.

We, in this party, join all other parties and all Ontarians in expressing their sadness, grief, shock, outrage and their rededication to what makes this land a land where that sort of thing is not acceptable, permitted or condoned, or a place where it ever occurs.

Mr. Rae: Twelve years ago I was flying from Belfast to London. After the flight had been in the air for no more than 15 minutes, we were told to be ready immediately for an emergency landing. We went down very quickly, out the emergency chute, ran from the plane and spent all day being interviewed by the police. As it turned out, there was a bomb on the plane. The pilot had been phoned by an anonymous caller who said the plane was going to blow up.

We discovered that the device, as it was euphemistically called, had failed to go off. The intended victim was a Roman Catholic, who was the head of the Royal Ulster Constabulary. Since that time, the meaning of terrorism has been a very personal thing for me.

There is no cause, there is no political or moral end, there is no justification for an act of terrorism. There can never be and never will be any. Those who, in a strange perversion of political ideology, think there is are, frankly, enemies of all mankind.

The tragedy that took the lives of so many of our citizens of Indian origin is one that brought home to Canadians in a very unique way the fact that none of us is safe. We live in the illusion that somehow there are harbours or places that are separate. We live in the illusion that somehow our own society is unique, that we are different from others and that we will never be subjected to these kinds of attacks. We have had to learn, in the hardest possible way, that is not the case.

All of our hearts go out to the Indian community. On behalf of all of us in this Legislature and I know on behalf of all the citizens of this province, we continue to mourn with Mr. Malik. We know that many lives will never be the same. Perhaps time makes the loss more bearable but, as all of us know from our own experience, time does not heal all wounds.

Let us in this brief moment affirm once again the simple truth that life must go on but it goes on vigilant in the understanding that each of us, regardless of our political persuasion, racial background, where we come from, what we believe, who we are, has a stake in the fight against terrorism. Terrorism takes away lives that are truly innocent.

STUDENT VENTURE CAPITAL PROGRAM

Hon. Mr. Sorbara: I have a brief oral statement recognizing 14 very bright, very dynamic young people in our gallery. I have just had the honour of presenting to these 14 young people the minister's Award for Outstanding Achievement for young people who have started up businesses with student venture capital loans through the startup program under the Ministry of Skills Development.

These young people have shown real creativeness and dynamism in putting together business proposals, and with the assistance of the Ontario Chamber of Commerce and the Royal Bank of Canada, they have started up businesses that have been successful in their own communities.

With the indulgence of the House, I will mention the names of the young people, their localities and the businesses they have started:

Kevin Fox from London, who started up Tan 8 Video Productions; Anne Triebner from Exeter, who started up the Cotton Collection; Wayne Floreani from Sudbury, who started up Green Thumb Services; John O'Rourke from South River, who started up Almaguin Windsurfing; Paul Cudahy from Gloucester, who started up Sky High Roofing; Lori McNulty, Dawn Gorrie and Christine Martin from the Ottawa area, who started up Advantage Advertising; Taras Hucal and Mark Piazza, both from Toronto—Mr. Speaker, you will enjoy this one—who started up the Kissing Bandit; Arnold Villeneuve Jr. from Toronto, who started up Direct Access Mailing; Alayne Reid from Markham, who started up Summer Adventures Day Camp; and, finally, Kelly Rand and Ian Porter from Emsdale, who started up East Gate Cheese Shop.

These truly are 14 very dynamic individuals. They won awards among more than 1,100 young

people who started businesses under the student venture capital program, and they are to be congratulated today.

Mr. Jackson: I am pleased to join with the Minister of Skills Development in applauding and complimenting the 14 students who have demonstrated successfully their entrepreneurial skills and business initiatives under the student venture capital program. Incidentally, that program was started by the then member for Scarborough East, Margaret Birch, as Provincial Secretary for Social Development.

The program grew to be much in demand. In fact, it was Ontario's first skills development minister, the member for Brantford (Mr. Gillies), who is currently in the Legislature, who increased the grants from \$1,000 to \$2,000. We compliment the minister for his vision in retaining this program. He has even gone so far as to retain the sponsors. He has the same confidence in the Royal Bank and the Ontario Chamber of Commerce as the previous government had. We are pleased the Liberal government has become a recent convert to the entrepreneurial spirit for which Ontario is famous.

Mr. Warner: I wish to join the Minister of Skills Development in congratulating the 14 recipients, who are seated in the gallery, and recognizing their talents, skills and imagination. I understand these young people have employed, in and of themselves, other young people in their various businesses, again demonstrating it is small business that has created much of the new employment in this province and will continue to do so.

Finally, in noting their imagination, drive, desire and energy, I am sure at some time we may interest them in turning all those talents to some very useful public enterprise as well.

TABLING OF INFORMATION

Mr. Harris: On a point of order, Mr. Speaker: I rise under standing order 88d, which states, "The minister shall answer such written questions within 14 days unless he indicates that he requires more time."

We have brought this standing order to your attention on several occasions. Usually when we raise this matter it is because the minister has not met his or her deadline for responding, in several cases by several months.

In Thursday's Hansard, we received a large volume of responses to some very old questions in Orders and Notices. It is good to see this government trying to clean up some of its

backlog. However, it was with some surprise that we noted the signature of the member of Oriole (Ms. Caplan) on many of these responses. There is a serious point to be made. The member for Oriole stepped down from cabinet on Monday, and yet questions with her signature were tabled in Orders and Notices on Thursday.

Obviously, one of two things has happened. Either these answers have been ready for a week at least but have been held back for some reason, which would show an arrogant contempt for this Legislature, or we have more serious administrative problems with the tabling of documents, such as the warrants of several weeks ago and the request of the member for Brantford (Mr. Gillies) of the Premier (Mr. Peterson) in regard to Exploracom.

Hon. Mr. Nixon: I assure the honourable member that the fact the former Chairman of Management Board's signature appeared was nothing other than an oversight. The answers were prepared. As House leader, I follow it quite closely, although it is not directly my responsibility, and urge that the answers be tabled so we do not have a succession of points of order. There is a competent and fairly large staff working out these answers. We are not collecting them to keep any information away from the House. The answers are tabled, without exception, as soon as they are available to me.

2:45 p.m.

ORAL QUESTIONS

EXTRA BILLING

Mr. Grossman: My question is for the Premier, who confidently predicted the passage of Bill 94 would somehow end the strife in the health care system. We have learned this morning that three hospitals, York-Finch General Hospital, Humber Memorial Hospital and Northwestern General Hospital, are going to close shortly, thus indicating not a reduction but an escalation in the action taken by the doctors to protest the Premier's action on Bill 94. Will the Premier tell us today how he proposes to protect the care and safety of the people of Ontario?

Hon. Mr. Peterson: I am not sure I agree with my honourable friend that I have confidently predicted anything in this whole discussion. He will be aware of the discussions we have had. I am not aware of the information the member brings to the House at the moment. He may know something I am not aware of. I will look into the matter at the first available opportunity.

Mr. Grossman: The Ontario Medical Association released information a couple of hours ago that three major hospitals in Metropolitan Toronto were going to close and stop admitting patients today or tomorrow. Having created this chaos in the system, is the Premier coming to this House some three hours after the information was made public and telling us he is not aware of these dangerous circumstances that are about to occur in Metropolitan Toronto?

Hon. Mr. Peterson: If the member had asked me, I could have given him an up-to-date list of everything that was happening as of 1:30 p.m. today, to the best of my knowledge. As the member knows, the Ministry of Health has been monitoring the situation carefully, with emergency plans in place. If he is interested in knowing what I know at this moment, I will be very happy to share the information.

Mr. Grossman: It is quite evident, and Hansard and electronic Hansard will show, that three hours after information became public that three major hospitals in Metropolitan Toronto were about to close, the Premier of this province, charged with ensuring the safety and care of the people of the province, did not have that information and was not prepared to respond to it. The Premier has in front of him his up-to-date list of what is happening. There is obviously a lot more happening that he does not have on his list and is not aware of. What steps is he going to take now to ensure the health and safety of the people of Ontario?

Hon. Mr. Peterson: Before the partial closings of emergency departments started a week or so ago, emergency plans were in place for every one of those institutions. We have followed them and tracked them on a daily basis in this House. The information is shared here. It has been shared by the newspapers as well. The ministry is on top of that on an hourly basis. This government, the Minister of Health (Mr. Elston) and I have not indulged in speculation about what might or might not happen, but there has been a plan in place.

I can assure the member that the ministry will be very much on top of this situation. If there is something I am personally not aware of, then I apologize to my friend. I do not pretend to know all the information from hour to hour, but I am confident the ministry is aware of it. A number of discussions are going on currently at a number of levels. We hope to find a resolution to this matter in the very near future.

Mr. Grossman: It is not sufficient to apologize for not knowing what is going on in the

system. The chaos was created by the events of last week. The minister is here daily telling us that it is only an inconvenience and we should not worry and that everything will be sorted out, but this afternoon the government is not aware of the closure of hospitals and has no idea how to respond.

Given that Bill 94 has passed and given that at this too late date he is trying to hold out an apparent olive branch and is talking through the Attorney General (Mr. Scott) of co-operating in a court challenge, is the Premier prepared today to announce, together with that court challenge, the appointment of a mediator and the installation of a moratorium period to get the doctors back to work while the court challenge is on?

2:50 p.m.

Hon. Mr. Peterson: There are a number of things. In response to my honourable friend's question, I was not aware of the suggestions he made in the House because that is not what has transpired. No hospitals have closed, and I do not think the member wants to create that impression inadvertently in this House or anywhere else. As I understand it, the hospitals are admitting no new elective patients, but what the member has tried to characterize as the hospitals closing is just not the case and he should know that.

Second, the member has asked me to appoint a mediator. I have had discussions with Dr. Railton this morning, as I did on Friday last. I hope to meet with him in the very near future to discuss the situation. A number of issues have been raised in this discussion: questions of liberty, questions of doctor-patient relationships and other things that, frankly, we did not feel were in Bill 94. Bill 94 dealt with one issue, and one issue alone, which was extra billing.

Given that the medical profession has raised a number of concerns, however, I can assure the member, as I assured the doctors, I am prepared to sit down and subject these matters to independent review, to the consultation process, and to work with them as very best we can in the circumstances to satisfy some of the concerns they have raised that are not in the bill but that they think may or may not happen some time in the future.

The third question the member asked me is about when the bill will become law. It became law on Friday, as he knows. It received royal assent and was proclaimed on that day. It would be unfair, and indeed inhuman, to deceive people in any way as to the intentions of the will of this House.

Mr. Grossman: To clarify the record, I indicated it had been announced that the hospitals will close and will stop admitting patients, not that they already had.

I should also clarify that we did not suggest the bill had not become law. To bring this back to reality, I want to ask the Premier this: Given his attempt to be reasonable and moderate, does he not now agree it would be advisable, to stop the escalation of activity, for him to indicate when he next speaks to Dr. Railton that he is prepared to have a moratorium on enforcement of Bill 94, pending the court action, if the doctors will return to work?

Hon. Mr. Peterson: I am not sure what my honourable friend finds so offensive about being reasonable and moderate. I do not think it is a bad posture in these circumstances. Perhaps he could look at that approach himself.

We intend to be fair but flexible in the implementation of this. As of Friday, it is illegal to extra bill in this province, and any patient who is extra billed will be reimbursed. It might take some time to work out the bookkeeping systems of the various doctors who extra bill at present. Believe me, we will work with the doctors to implement it in their own ways, given their own bookkeeping systems. We have no problem being fair-minded at all turns.

Mr. Grossman: I will tell the Premier what I find offensive about his suggestion that he be reasonable and moderate. I find it offensive to hear the Premier talk about that, because it is like a drunk driver who has killed someone in an automobile accident calling up the family of the victim and saying: "I would like to come over and chat with you to assure you I will not drink and drive again. I will not run over or kill your other children. I promise to be good from now on." It is the Premier's unreasonable and immoderate activities that have caused this situation.

Mr. Rae: Making that analogy is the sign of a truly sick man.

Mr. Grossman: When the member finally got around to criticizing him, his leader said it was just rhetoric. "Just rhetoric," he said. Terrific.

My final supplementary is this: Given that we now have all sorts of problems in the health care system, does the Premier not agree that the appointment of a mediator to try to bring a new presence to the table, given the enormous ill will that has been created between the government and the OMA, would be an appropriate response to try to get the doctors back to work?

Hon. Mr. Peterson: With respect to my honourable friend's preamble, it is fair to say we

all have our own standards of what is offensive. I would say his analogy would be judged offensive by most people observing what he has said today.

With respect to his second point, I will be very happy to answer it. We suggested last Friday, and some time before, that we should look at some of these questions with respect to health care delivery in conjunction with someone having the independent credentials of, say, a Dr. John Evans. For example, we have specifically put that forward as one idea in conjunction with the OMA. Drafting the terms of reference and participating in those discussions can assist in addressing the very questions the member raises here.

These are not new questions. They are old questions and they have been around for a long time. I am sure the member opposite will know that this government is prepared on all occasions to face up to its responsibilities and to try to deal with these things and not sweep them under the rug. If those are concerns of the medical profession, I assure the member we are prepared to sit down and deal with them in an honourable way.

Mr. Rae: I have a question for the Premier. Given the announcement that three hospitals were informed this morning by the doctors that they would be withdrawing from emergency services indefinitely and that no more elective patients would be admitted, is it his view that the doctors who so informed the staffs of the three hospitals in question, Humber Memorial Hospital, Northwestern General Hospital and York-Finch General Hospital, in so advising those hospitals acted in conformity with the law of Ontario?

Hon. Mr. Peterson: I am not in a position to give my honourable friend a legal opinion on that matter. I do not know. The College of Physicians and Surgeons of Ontario will be looking at this situation. Pending better advice than I have at the moment, I am not in a position to say whether that is legal or illegal. Obviously, it is my fondest hope that we can stop this kind of response by the medical profession, as the member knows. I repeat that the hospitals are not closed; they are just not admitting elective patients, as they have not been since the withdrawal of services. There is a very serious difference in terminology.

Mr. Rae: Earlier today, in my comments about the Attorney General's statement, I said the public does not know what the law of Ontario is because the Premier does not know and the Attorney General has not stated it. The college has said today, "Similarly, we understand that

our society accepts, as a legitimate form of protest, the right of groups to withdraw their services with resultant public inconvenience in order to promote certain changes or results considered beneficial to the group interest."

Is that the government's view with respect to the actions being taken by the doctors? If it is good enough for the doctors, why is it not good enough for the nurses and the dietary aides? Why is it not good enough for all the other people who work in what the government has until now deemed to be an essential service, the public hospitals in Ontario?

Hon. Mr. Peterson: My understanding is that the college has said that to close down a hospital would be deemed to be professional misconduct. The college is the adjudicator of that matter at present. In his question to me, the member raised questions about the broader public policy implications of this situation. He talked about the difference of treatment of staff as opposed to the medical profession.

Those are perhaps legitimate questions to be raised at some point in the future, but I do not think it is constructive at this moment to start a public discussion of those matters when we have the situation that we have. As this thing unravels, I am sure we will discuss all the issues that have been raised during this discussion.

3 p.m.

Mr. Rae: The patients of the province, as well as the doctors and all the other partners and parties in the system, are entitled to know just what rules we are playing by now, what is acceptable and what is not acceptable, what is lawful and what is not lawful. In that regard, in an earlier statement the College of Physicians and Surgeons of Ontario said, "It is unacceptable to have a serious disruption of emergency capabilities in referral or tertiary care institutions." The Premier will know that is code language for teaching hospitals that are providing what is deemed, even by the college, a more essential service than that which is being provided by Humber, Northwestern or any other regionally based hospital.

Can the Premier explain why the college has so far said nothing about the closure from time to time of Mount Sinai Hospital and of the Wellesley Hospital, both of which qualify under this category? If he cannot tell us, does he not recognize that the system of telling the patients, the public and the profession what the law is has now broken down and that something needs to be done to re-establish it clearly for everybody?

Hon. Mr. Peterson: As a highly trained lawyer, my honourable friend will understand it is one thing to have a statement of the law, as he has read to us, and another to apply that and interpret it vis-à-vis the facts of a situation. I am sure he would not want to prejudge this very sensitive situation.

The college has had a great deal of pressure on it from both sides. The member is very aware of that as well. The college has made a clear statement of its principles. Now the question is the application of that law to the specific situation. One of the problems in this whole discussion is that sometimes there is an oversimplification of the terms used. People use a word such as "closed" when it is not in fact closed. That is why it behooves us all to look at the facts of the situation very carefully before we generalize or constitute ourselves as a court of inquiry in this matter.

EQUAL PAY FOR WORK OF EQUAL VALUE

Ms. Gigantes: My question is to the minister responsible for women's issues. He will be aware that there was a press conference held this morning by the Equal Pay Coalition, the Young Women's Christian Association of Metropolitan Toronto, the Canadian Union of Public Employees, the Ontario Public Service Employees Union, the Business and Professional Women's Clubs of Ontario, the Coalition of Visible Minority Women and the Ontario Federation of Labour to ask this government to table legislation governing equal pay for work of equal value in the private sector.

Is the minister now prepared to do that?

Hon. Mr. Scott: The timetable I provided a couple of weeks ago remains the one that the government intends to utilize.

Ms. Gigantes: Is the minister aware that even the union which stands to benefit from the very limited coverage that will be provided by Bill 105 for what is called the public sector is now saying it does not wish to be isolated from the rest of working women in Ontario? How does he respond to the union's request that legislation be tabled now and that it does not want to be used by the Liberals as a false symbol of equal pay in Ontario?

Hon. Mr. Scott: As the Minister of Labour (Mr. Wrye) has said, Bill 105 will in due course be debated at second reading, I think shortly, and the views of unions and other persons who may be expected to come within that bill can be

canvassed by the House or the committee to which the bill is referred.

The timetable for the private sector bill remains as I stated it. We will introduce a bill in the next session, following the completion of the studies that are being done at present.

Ms. Gigantes: The minister knows the studies he has created for the summer period are not necessary to the announcement of the legislation or to the announcement of the principles of the legislation for equal pay coverage.

Will the minister tell us how he expects the government to have credibility on this issue? The longer we go on, the more we know women's rights are being comprised.

Hon. Mr. Scott: In the end, I believe the credibility of the government on this or any other issue will be judged by the result of the bill it produces. We want to produce the best possible bill in the circumstances of the case. I cannot say, and would not dare say, the studies that are proceeding this summer will not change anybody's mind. The purpose of having studies is to form as thorough a view as we can about a subject before a decision is taken. One does not have studies after conclusions, in order to fortify one's own views about what is right.

Interjections.

Mr. Speaker: Order.

EXTRA BILLING

Mr. Grossman: My question is for the Premier. With an invitation to deal directly with the real problems faced by patients whose surgery has been cancelled, whose beds will not be available for them at York-Finch General Hospital, Humber Memorial Hospital and North-western General Hospital, today, tomorrow and the next few days, I wonder what advice the Premier now has to offer those people whose surgery is cancelled. Is his advice that it is only an inconvenience and they should not worry? Is his advice to call the Ministry of Health, which in turn will tell them to call their doctor or go to emergency? What precisely should the patients in this province do, given this horrendous circumstance which he has created?

Hon. Mr. Peterson: My advice to the patients in those circumstances would be to speak to their physicians and say to them: "I understand you have a difference of opinion with the government, but I hope you would not take it out on me, personally. I hope you would assist me as my doctor because I trust you and your medical judgement." I hope patients would be able to

persuade doctors that they could deal with them in a professional way. They can come back and work out the other outstanding differences they have with the government, but they should not to carry those resentments or difficulties into their professional relationships with their patients. That is the advice I would give the patients.

Mr. Grossman: The Premier and his colleagues have, one way or another, so agitated and irritated the medical profession over the past few months that, whether he likes it or whether I like it, those calls to their doctors are not resolving the problem. The surgery is being cancelled. The hospitals, to use the Premier's words, will not schedule any more surgery. Because of the situation he has created, the arrogance and the irritation he has shown towards the doctors, those calls are not getting the patients looked after.

Given that the solution he recommends clearly will not work and has not worked for 12 days, is the Premier now prepared to help these struggling patients get their surgery by saying to the OMA: "Let us cool it off. Let us have a mediator. Let us postpone the implementation of the bill, and let us get the surgery done to get rid of the disorder"? It is more than an inconvenience. It is a dangerous situation.

Hon. Mr. Peterson: This is the same question the honourable member has asked me three or four times today. I will give him the same answer. We are very happy to sit down with the profession. As I told the member, I talked to Dr. Railton today. We hope to get together very quickly, and it is my hope and ambition that we could put in place a mechanism to start addressing some of the problems the medical profession has raised.

If my honourable friend is recommending legislation of some type or other, then he should stand and say so. He cannot have it both ways in this whole discussion. The minister has been very steady on course in this matter. We have been open and conciliatory and we are advancing exactly the way we said we would.

ACCESS TO ABORTION COMMITTEES

Mr. Rae: I have a question for the Attorney General. It concerns the subject of abortion. The Attorney General will know that a number of hospitals have shut down their therapeutic abortion committees. There are widespread press reports that we can only assume are reliable, as well as reports from the two clinics that are performing abortions, that a number of referrals are coming from these committees and doctors to those private clinics. Since the Attorney General

has already told the press that what these doctors tell their patients to do is none of his or anybody else's business, can the Attorney General tell us today what his intentions are with respect to the doctors who are now performing therapeutic abortions at the free-standing clinic?

3:10 p.m.

Hon. Mr. Scott: The answer to that requires a little preamble. The question of where and under what circumstance an abortion can be performed is a matter of federal law and the law provides that an abortion can be performed in Canada only in a hospital, after approval by a therapeutic abortion committee, according to the standards the law sets for that committee. An abortion performed anywhere else or under any other circumstances in Canada is unlawful. It is unlawful if it is performed in one's home, in an office or in a clinic.

Mr. Crosbie, the Minister of Justice, has indicated plainly on a number of occasions that he and the government alone are responsible for the federal Criminal Code and that they do not propose to change the law at the present time that makes abortions performed at home, in an office or in a clinic unlawful.

The solution to women's problems, which are very real, will not be served by having therapeutic abortions done contrary to law in the province.

Mr. Rae: The Attorney General will know the defence that has been used successfully three times in Quebec and that was used to the satisfaction of the jury in Ontario, the only time it has been charged, was the defence of necessity.

Would the Attorney General not agree that defence can only be strengthened by two things: first, a number of therapeutic abortion clinics are now closed and referrals are now being made by doctors who are practising medicine right across the province who are now referring patients to those clinics; second, it is strengthened by the refusal of this government to deal with the question of access, to deal with the problem of the number of therapeutic abortion committees that are disbanded and to deal with the reality that women simply cannot get service under the system as it now stands in Ontario?

Hon. Mr. Scott: The member is correct if he refers to an acquittal by a jury. That is what happened. What the Court of Appeal said, unlike the ultimate situation in Quebec, was that there had not been a trial according to law and it directed a new trial. We have undertaken to proceed with that trial when the appeal to the Supreme Court of Canada is finished.

The solution for access for women to those places where an abortion can be completed in accordance with law is a medical question. Colleagues of the Minister of Health (Mr. Elston) have made representations to him about that issue. It is no solution to say that the problems of women are to be responded to by creating operations which can only occur outside the law.

I put my position this way: "We believe that access to abortions must be achieved within the context of law. We therefore cannot condone the establishment of illegal clinics." Those are not my words. Those are the words of the caucus party committee of the New Democratic Party on abortion, spoken by the late Jim Renwick, whose judgement I respect in this matter.

CHILDREN'S AID SOCIETY

Mr. Cordiano: I have a question of the Minister of Labour. Can the minister bring this House up to date regarding the status of striking workers in the Children's Aid Society of Metropolitan Toronto? I have had a number of phone calls. Can he bring us up to the point where he now perceives the current situation?

Hon. Mr. Wrye: I thank the member for that question. The House will know that the Metro children's aid society strike began a week ago last Friday, after the employees of the children's aid society voted to turn down the last offer. The mediator has stayed in close contact with the parties since the walkout began. There are indications that the parties may get back together later this week, perhaps as early as Wednesday.

I want to advise the member, so he can tell his constituents, that Mr. Lapp is in close contact with both parties in the dispute and we hope to see some real progress in the next short while.

Mr. Cordiano: Does the minister see any possibility of an early settlement with regard to the strike?

Hon. Mr. Wrye: I am advised the mediator, Mr. Lapp, has been in contact with both parties and earlier today indicated it may be fruitful to get back to the bargaining table in the next short while. Obviously, we hope that when mediation resumes we will move rapidly to a settlement and put this dispute behind us.

ACCESS TO ABORTION COMMITTEES

Mr. Andrewes: My question is to the Premier. It follows on the question of the member for York South (Mr. Rae).

We now know that five therapeutic abortion clinics are without medical advisers. There have been resignations from five hospital clinics. That

is not a narrow-based problem. It is a problem right across Ontario: in Brampton, Burlington, Kitchener-Waterloo and Sarnia as well as in Metro Toronto.

Abortions are being cancelled, no new cases are being scrutinized, and women are being denied access to this important health care. What is he going to do about this problem of health care inaccessibility?

Hon. Mr. Peterson: We are trying to persuade the doctors to return to their normal responsibilities in this regard. We know the press reports, but we understand that things are carrying on in hospitals.

Mr. Andrewes: The Premier and his government have spoken on many occasions about improved access for women to therapeutic abortions. Now he faces a situation where his policies have meant that access has been reduced. Access for some women has been eliminated.

I ask the Premier again, what is he going to do to provide this essential health care to the women of Ontario?

Hon. Mr. Peterson: I am interested in my honourable colleague's new position on behalf of his party. It is interesting to know.

We are concerned now, as we were concerned a year ago, that everyone in this province have equal access to quality medicine everywhere in the province. That is why we brought in programs such as the northern health travel grant program and a lot of others: to make sure people do not suffer from being in one region or another.

This is one aspect of it, and I can tell the member that the ministry is looking at this matter very seriously. He will see some results with respect to equal access everywhere in this province.

HOUSING POLICY

Mr. Reville: I have a question for the Minister of Housing. Two bills on the Orders and Notices paper that are waiting to be called relate to housing. There is Bill 11, which purports to protect the rental housing stock, and there is Bill 51, which purports to protect renters.

Can the minister explain to the House why both Bill 11 and Bill 51 create two classes of tenants in this province: those who live in buildings of six units or more and those who live in buildings with fewer than six units?

Hon. Mr. Curling: As a matter of fact, the assured housing policy that was introduced tried to address all tenants in this province, and both bills tried to address concerns that some inequi-

ties were being experienced. The bill is not intended to differentiate among or separate different tenants. It is a matter of bringing equity to all tenants in the province.

Mr. Reville: The minister says he is creating equity for all tenants, but his executive assistant is quoted in today's *Globe and Mail* as saying, "At some point, you have to draw the line."

Why would the minister draw a line that leaves the tenants of 446,000 units on the wrong side of the line, a line that offers them no protection from eviction because of demolition and offers them inadequate protection from illegal rents?

Hon. Mr. Curling: If the honourable member wants to be completely fair about it, he is including even 127,000 single units. Is he saying that we should restrict people from converting single units? He speaks about approximately 400,000 units that are not being protected. Those buildings of six units or more are where the bulk of the activity of conversions, demolitions and evictions is concerned, and we are concentrating in that area.

3:20 p.m.

CHILDREN'S AID SOCIETY

Mr. Callahan: I would like to direct my question to the Minister of Community and Social Services. During the currency of this strike, how are the services through the Children's Aid Society of Metropolitan Toronto being performed?

Hon. Mr. Sweeney: At present, 130 management workers from the society are meeting the needs of the children who have the most urgent needs.

TECHNOLOGY FUND

Mr. Gillies: I have a question of the Premier regarding his technology fund grant of \$17.5 million to the Exploracom project.

I have here a financial planning summary from Exploracom, dated April 21 of this year, which indicates very clearly that \$17.5 million would be forthcoming to the project from the government of Ontario. In view of the fact that this document predates the throne speech which announced the technology fund, predates the budget which announced the funding for the technology fund and accurately predicts to the last penny the amount of the grant, could the Premier tell me whether his friend Mr. Schwartz is a clairvoyant or did he have inside information that \$17.5 million was coming his way?

Hon. Mr. Peterson: One of the things that is quite obvious to the member and everyone else is

that Mr. Schwartz is a very bright fellow or else he would never have been able to bring a project such as this to fruition.

Mr. Speaker, you will recall that the application was originally made in 1984 and it went up through the bowels of the ministry. I am not sure whether the minister saw it. It was reviewed by this government. As a matter of fact, the committee of deputy ministers decided, I believe on March 27, that it should be in the throne speech and funded in the budget. It had all these checks along the way.

I cannot tell the member the specific date of that situation but I assume that was the amount in the original application.

Mr. Gillies: In fact, the original submission for this program, which came out some time ago, as the Premier indicated, was completely different. The funding amounts were all different. It even had a different name, the Canadian Computer Museum.

Therefore, I go back to the original question. Before the Premier announced that his government was going to institute a technology fund, before he announced the amount of funding he would be putting into that fund, five weeks before he announced the grant going to Mr. Schwartz's project, he confidently projects to the last penny a \$17.5-million grant from the Ontario government.

This is the third week we have asked the Premier to table documentation in this House surrounding this application. Will he now clear up that there was no inside dealing and no inside information in the awarding of this grant? I say to the Premier that the appearance is very substantially to that effect.

Hon. Mr. Peterson: My honourable friend asks very legitimate questions, and my understanding is that the information will all be tabled tomorrow.

As the member has raised some of these questions about how these grants are made, we have looked into a number of other grants and we will share all the information with him of the approval process that has gone on in this government and in his government. I think it is something that should be looked at. I think he will want to call the committee of deputy ministers that made this decision on March 27 and then passed it on to the cabinet. I think my friend opposite will find some very interesting reading in the whole matter.

Mr. Pope: So the Premier admits there was an inside deal?

Mr. Speaker: Order. Once again, interjections are out of order.

Mr. Pope: About 2,000 patients are missing a little bit of leadership from the Premier right about now.

Mr. Speaker: To the member for Cochrane South (Mr. Pope), order.

WORKERS' COMPENSATION BOARD

Mr. McClellan: I have a question of the Minister of Labour concerning the behaviour of the Workers' Compensation Board at the leading case which is being heard by the Workers' Compensation Appeals Tribunal, the case of Mario Villanucci. Can the minister explain to the House why the WCB appears to have given false information to the tribunal with respect to one of the doctors who examined Mr. Villanucci? The board said the doctor had been retired from the board when he was working full-time for the board, and then it said he was too sick to appear when he was working full-time, making claim and pension decisions.

Can the minister explain why the compensation board stonewalled for three days against Mr. Villanucci's request to call WCB doctors to testify as witnesses?

Hon. Mr. Wrye: The honourable member knows the reputation of the people at the board well enough to know that any problem—and there may be a problem here—was simply an oversight. It is not the intention of the board to stonewall in this very important case. The matter is an important one and the board acknowledges that. We acknowledge it. I am sure in raising these questions on this very important test of subsection 45(1), the member realizes this case is far too important to get into that kind of situation.

I am sure the board will co-operate as fully as possible with the Workers' Compensation Appeals Tribunal as this matter moves forward.

Mr. McClellan: I agree with the minister that this case is too important to allow it to be sabotaged by the board. Will the minister agree to meet with the chairman of the WCB and report back to this House the position of the board with respect to the appearance of doctors at the Villanucci hearing, and specifically whether the WCB will agree voluntarily to allow its doctors to testify at the Villanucci hearing without restriction or the threat of challenges in higher courts?

Hon. Mr. Wrye: As I understand from this morning's press, the threat of challenge came from the chairman of the tribunal. There have

already been some discussions on this matter. I am sure the honourable member knows the appearance of doctors in this case would be quite unusual in terms of the historical precedent. However, I will be pleased to discuss this matter with Dr. Elgie in the hope that it can move ahead as quickly as possible.

Mr. Speaker: The Minister of Financial Institutions has a response to a question previously asked by the member for Welland-Thorold (Mr. Swart).

INSURANCE RATES

Hon. Mr. Kwinter: On June 4, the member for Welland-Thorold asked me a question regarding the go-kart insurance for the Seabrooks' Del-Mar drive-in and campground at Iron Bridge.

Members of my staff—Grant Swanson of our insurance department and Al O'Donnell of our market assist team—have been in contact with the Seabrooks, who operate the go-kart track in question, and have been working to help them find insurance. Mr. O'Donnell informs me that insurance is available for the Seabrooks through Doussault and Associates providing that the go-kart operation meets certain underwriting requirements. Mr. O'Donnell understands that with some modification, the Seabrooks' operation can meet those requirements. This insurance would not have any participant exclusion. The Seabrooks have been told this option is available to them.

Also, the Ontario Liability Insurers have provided the Seabrooks with a quotation for insurance which is limited in that it has a participant exclusion.

TECHNOLOGY FUND

Mr. Gillies: I have a question for the Minister of Industry, Trade and Technology. To the extent that we have any knowledge of the technology fund from the throne speech, it says, "The council will direct moneys to business, universities and colleges by way of shared financing." Will the minister clarify the impression left in that statement that the grants made by the technology fund will be made on a matching dollar basis with other sources of financing?

Hon. Mr. O'Neil: It is hoped the technology people, being part of the technology committee, will be meeting during the first part of July and some of those decisions will be made at that time.

Mr. Gillies: When the council finally meets and makes some of these decisions, will it be setting the criteria retroactively for the Explora-

com grant, which was announced some weeks ago, clearly in the absence of any funding criteria, application procedure, council or anything else?

Hon. Mr. O'Neil: As the Premier (Mr. Peterson) mentioned, that material will be tabled tomorrow and the information will be there for the member.

3:30 p.m.

INSURANCE RATES

Mr. Swart: I have a question to the Minister of Financial Institutions. I am sure he will be aware that this past week Herbert Phillips, the chief actuary of the Insurers' Advisory Organization, stated that liability insurance rates were up by 63 per cent in the first quarter of 1986 and said of auto insurance rates, "There is every likelihood of 30 to 40 per cent increases in Ontario this year." As the minister responsible for insurance and insurance rates in this province, will the minister tell this House whether these levels of increase are justified?

Hon. Mr. Kwinter: I thank the member for his question, but I should correct him; I am not responsible for the insurance rates in this province, with one exception, and that is the Facility Association.

The speculation in the press that the rates may go up is just speculation. We are looking into all aspects of insurance. We are waiting for public response to the Slater task force by July 31, and will be reacting to that.

Mr. Swart: Given that the minister has just refused to assure this House that these kinds of increase are justified and has refused even to consider a public system like those in the western provinces, where there have been no increases, will he not admit that sections 369 to 371 of the Insurance Act would give his ministry the power to control and limit premium increases? Why does he not get out of the insurance companies' pocket, say enough is enough, proclaim those sections and limit increases to the inflation rate in this second year of massive hikes?

Hon. Mr. Kwinter: I am going to repeat again for the member, and I have repeated it to him for some time, that we are looking at all aspects of the insurance business, but at this time we are not looking at getting into the insurance business.

PHARMACEUTICAL LEGISLATION

Mr. Leluk: In view of the absence of the Minister of Health (Mr. Elston), I would like to direct my question to the Premier. As currently

drafted, Bills 54 and 55 threaten consumer rights because they encourage pharmacists, when filling prescriptions, to substitute interchangeable drugs without having to inform consumers. Does the Premier agree that consumers should be told in advance by a pharmacist whenever a prescribed drug is being substituted for with an interchangeable product and that consumers have the right to know and choose what they are getting? Will the Premier guarantee consumer rights in the final legislation?

Hon. Mr. Peterson: We have had a very full discussion in this House on the matter, and I gather the discussion will continue and the member will have a perfect opportunity to put forward all his very thoughtful views at that time.

Mr. Leluk: I want to remind the Premier—

Mr. Speaker: By way of supplementary, I hope.

Mr. Leluk: Yes, it is a supplementary. In the present legislation, we do not have those guarantees for the consumers in this province. Bill 54 requires that pharmacists supply the lowest-cost list drug for the elderly and welfare recipients under the Ontario drug benefit plan. The bill as currently drafted denies consumers the right to pay the price difference between the lowest-cost drug and the drug prescribed by the doctor. Will the Premier assure this House that final legislation will allow seniors and those on welfare the right to choose and pay the price difference if they wish, or will they be forced to swallow the pill the government tells them to?

Hon. Mr. Peterson: We on this side of the House never make anyone swallow bitter pills. I appreciate my colleague opposite's new-found advocacy for consumers, and I know he will want to take advantage of discussion in this House to put forward his views on behalf of the people of this province. That is who we are fighting for all the time, the consumers, the people of the province, and we are glad to have the member join us.

HERITAGE LANGUAGES

Mr. Grande: My question is for the Minister of Education regarding the arbitration board decision in the matter of the heritage languages program.

The minister knows that in the dispute between the Toronto teachers and the Toronto Board of Education, the arbitration board has decided what the New Democratic Party has known for years and what the Tories have always refused to

accept, namely, that heritage languages must be integrated during the school day.

Will the minister tell us what steps he intends to take to ensure that ethnic children in our elementary schools will no longer be segregated, ghettoized and treated as second-class students? Specifically, will the minister move to change the Education Act so community languages can be taught during the five hours of the school day?

Hon. Mr. Conway: The interest arbitration in this matter, which was handed down late last week, made clear that boards of education have the right to exercise the option to offer heritage languages instruction during the regular day. The arbitration was quite clear and strong about that. Of course, ministry regulations provide that option to boards. The actual delivery of the program, as the honourable member noticed, has been thus far a matter of local board option.

We as a government are strongly supportive of the heritage languages program, and recognizing the interest that this arbitration has generated and the debate that has taken place around the subject, particularly here in Toronto but also elsewhere in the province, I am reviewing ministry policy. I have taken note, for example, of the member's Bill 80, which he tabled last week. Later this summer, I hope to share with him the results of my thinking with respect to the interest arbitration and other input I will be receiving in this very important area.

Mr. Grande: I hope the opinions of the Minister of Education are not changing from what they were in 1978, when he said in this Legislature while debating this very bill, that "sometimes we are given too much...to the 'cannots.' I think it is time we took a look and asked, 'Why not?' I feel...this heritage languages bill is a very positive and important one."

Does the minister not realize it is exactly the ghettoization the arbitration board talks about that is created by the heritage languages program as it was set up? The memorandum of 1976 says, "such classes may be offered after school or on non-school days or where numbers justify an extension of the required five-hour school day." My question is—

Mr. Speaker: Order. The question has been asked.

Hon. Mr. Conway: What has not changed is my commitment or this party's and government's commitment to the very important heritage languages program that has been developed throughout much of Ontario. It is now in 73 school boards and is funded by more than \$10 million from the Ministry of Education.

As a party and as a government, we are strongly committed to heritage languages instruction. Perhaps we differ from the member and his colleagues in this connection: We intend in this matter, as in other matters, to do so in a co-operative and collaborative way, recognizing the important role that local boards and teachers have in the delivery of this very important and positive part of education.

SMALL CLAIMS COURT

Mr. Callahan: The Attorney General has set up a study of the justice system by Mr. Justice Zuber. I should like to inquire whether his terms of reference will include the updating of the rate for small claims courts throughout this province as opposed to where they have been held for the testing periods thus far.

Hon. Mr. Scott: Mr. Justice Zuber is certainly entitled to consider that matter. As the member knows, the government is committed to extending the jurisdiction of the small claims court. The problem is that it costs somewhere between \$10 million and \$15 million to do so. The government is considering where on its list of priorities this matter should lie.

3:40 p.m.

RENT REVIEW

Mr. Gordon: I have a question for the Minister of Housing. Last week, the minister confirmed again in this Legislature that there is some kind of magic formula in his new Bill 51 that will mean tenants living in buildings that have chronically depressed rents will have some protection while the rents go up by 7.2 per cent next year. Will the minister take the time to open the bill I just sent over to him—it is his bill—indicate on which page the formula is and then explain it to us?

Hon. Mr. Curling: I know the member would like me to read along with him, but I do not think the House would give me the time to assist him by reading Bill 51 along with him. As the member may have seen by now, I have prepared a guide to the proposed Residential Rent Regulation Act. It was done to assist the member to understand the bill.

He has asked the question about chronically depressed rents on numerous occasions. I offered to give him an answer, and if he did not understand, I went further and offered him the legal advice of my staff, who would sit down with him. He still did not understand.

I would like the member to help get Bill 51 read a second time in the House. I would like him

to prepare himself to pass the bill and to make any amendments or suggestions he wants in regard to the bill if he feels he is not comfortable with the manner and the formula that will be put forward to deal with those chronically depressed rents. He has all those opportunities to do so.

Mr. Gordon: I consider that to be a very arrogant answer. Last week, in the House, the minister held up the very guide he had a minute ago and said to me, "No, the formula is not in there." Today, the minister cannot even pick the formula out of the bill, and it is his bill. He indicated last week that the formula was in the bill. Either the minister knows there is a formula or he does not. When is the minister going to tell us what the formula is? Is it going to protect those tenants?

Hon. Mr. Curling: If you will allow me, Mr. Speaker, I will read it to him in the short time we have: "Hardship Relief." He asked me to read it to him.

Mr. Speaker: A very brief reply.

Hon. Mr. Curling: I hope so.

"There are two types of hardship relief"—page 35. Now I want to go through the guide.

"There are two types of hardship relief for a landlord, hardship relief and chronically depressed rents. Under hardship relief, if a landlord is making a profit which is less than two per cent of his total revenue, rent review can allow a rent increase which allows the landlord two per cent more than his total cost."

Is the honourable member with me still? I will go on.

"In other words, if the landlord's total cost is \$100,000 and his total rent revenues are \$101,000, rent review can allow his total rent revenue to increase to \$102,000."

ALGOMA CENTRAL RAILWAY

Mr. Wildman: I have a question for the Minister of Northern Development and Mines in regard to a letter, dated June 17, that was sent to him by Stanley Black, vice-president of Algoma Central Railway. In that letter, Mr. Black indicates the concessions requested of his company by Algoma Steel Corp. will most likely result in the shutdown of the rail operation, meaning a layoff of 340 rail jobs and 1,000 to 1,500 jobs in the tourist industry. Can the minister explain what response his government has made to Mr. Black and what he is doing to protect the jobs at the Algoma Central Railway and in the tourist industry in the Algoma district?

Hon. Mr. Fontaine: I received that letter last week. I am waiting for another letter today or

tomorrow. I will be meeting with the people concerned from the mine, Algoma Steel and Algoma Central Railway in the next few days.

PETITIONS

ROMAN CATHOLIC SECONDARY SCHOOLS

Mr. Sterling: It is my great pleasure to present 5,880 petitions, which state in part:

"Ontario is a multiracial, multicultural and multifaith society that is well served by a strong public school system. Your government's proposal to extend public funding to the Roman Catholic separate schools is a backward step since it will grant special status to one specific denominational group.

"I urge you and your government not to proceed with this divisive proposal."

NATUROPATHY

Mr. Cordiano: I have a petition which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

ABORTION

Mr. Pollock: I wish to table a petition of 327 names from the Quinte area:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, as Canadians, request that abortion be stopped. We firmly believe that each human life has the right to the utmost respect from conception until natural death. We are fearfully and wonderfully made. We are convinced that human problems must be solved by loving. There are other alternatives to abortion. Abortion does not solve problems. It adds to them. Most Canadians have been misinformed about the damages abortion has caused to the people involved.

"There is no such thing as a truly safe abortion, even under the best circumstances. It has also been proven that legalized abortion does not reduce the number of illegal abortions. Whether you refer to abortion as killing or induced death is largely a question of semantics. The effect on the child is the same. Abortion is a human issue that affects all of us. By not opposing abortion you

are giving it your unspoken support. One fact stands out above all others. In 1978 alone, abortions took the lives of 62,290 unborn children in Canada. If that is an improvement in the quality of life, we fail to see it."

SALE OF BEER AND WINE

Mr. Rowe: I wish to table a petition signed by 130 people from the Central United Church of Canada in Barrie:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"The United Church of Canada speaks out opposing the sale of beer and wine in our grocery stores. On the one hand, we discourage our young people but, on the other hand, you are making beer and wine more available. The undersigned do not support beer and wine to be sold in our grocery and corner stores."

REPORT

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Laughren from the standing committee on resources development presented a report on the impact of the announced layoffs at the Algoma Steel Corp. Ltd. in Sault Ste. Marie and Wawa.

MOTION

COMMITTEE SITTING

Hon. Mr. Nixon moved that the standing committee on public accounts be authorized to meet this afternoon following routine proceedings.

Motion agreed to.

3:50 p.m.

ORDERS OF THE DAY

House in committee of the whole.

EDUCATION AMENDMENT ACT

Consideration of Bill 30, An Act to amend the Education Act.

The Deputy Chairman: Are there any questions or comments on this bill?

Some hon. members: Carried.

Mr. Sterling: I just heard the New Democratic Party members saying, "Carried." Perhaps they, like many members of this Legislature, would like this to carry with little discussion. That is something I find very distasteful.

Mr. Chairman, I have delivered to you three amendments. I believe they were in the hands of

the Clerk some time ago, and I bow to your suggestion as to which one I will introduce first.

Mr. Chairman: The amendments should go in this order: sections 2 and 3, then the preamble.

Section 1 agreed to.

On section 2:

Mr. Chairman: Mr. Sterling moves that subsection 136la(1) of the act, as set out in section 2 of the bill, be amended by striking out "after the 10 school year period mentioned in subsection 136l(6)" in the fourth and fifth lines.

Mr. Sterling: As Bill 30 stands, it permits a Roman Catholic separate secondary school board to discriminate on the basis of religion during the first 10 years of the life of this piece of legislation so that a young non-Roman-Catholic person entering the teaching field does not have the same opportunities in that profession as a Roman Catholic.

I have long said I would attempt to make this bill as evenhanded as possible. I do not countenance the discrimination condoned in any part of Bill 30, but perhaps this is the place where it is condoned in the most glaring and obvious example.

I therefore urge other members to look to the other part of subsection 136la(1), to retain the catholicity of the Roman Catholic school system, that teachers hired will still be required to respect the philosophy and traditions of the Roman Catholic separate school in the performance of their duties.

Mr. Allen: I rise to address the amendment proposed by the foregoing member. We had a lengthy clause-by-clause discussion in the standing committee on social development on the various aspects of this bill. The amendment in the first instance was our own; it arose from the New Democratic Party.

Our concern was that the main thrust and character of the bill, and what it sought to accomplish, should not be compromised by a highly controversial addition that would be likely to go before the courts and render the substance of the bill, as it was, eminently challengeable. We therefore considered that the most efficient way of moving this amendment, resulting in this section, was to separate it from other sections of the bill and provide for it in a separate section of its own.

The member readily recognizes the sensitivity of the question, that the rights of the separate system are constitutionally entrenched. They are not just anachronisms left over from 1867 but have been confirmed as late as the debates on the

Constitution which led up to the Charter of Rights and Freedoms in 1982 and are as clearly established as ever in section 29 of the charter.

Moving to abridge denominational rights, or any rights established in the Constitution, is a very sensitive matter. While this party is concerned about some aspects of the hiring practices of the separate system, it has felt it should move in such a way as to provide the separate schools and the board with a time and opportunity to look at that issue and arrive at their own adjustment to new hiring practices under the 10-year period. We hope they will also adopt measures and approaches that would give effect to the general spirit of this amendment.

It is not wise to remove the hiring provision and that right at this time. As the legislation stands now, even as it stood prior to the addition of this section, it requires considerable adjustment, modification and abridgement of the hiring rights of the separate system.

One cannot argue that this section or even this bill introduces a pattern of hiring that is somehow new or that has not prevailed. Both the 10-year period and the section to which the member alludes take excessive steps towards another situation, which we hope will have some effect in the overall direction and character of hiring by the separate system in the future, but we stand opposed to this amendment.

4 p.m.

Hon. Mr. Conway: I want to comment on the second amendment of my friend from Manotick. As the critic for the New Democratic Party just indicated, the matter has been discussed at considerable length in the committee stage of this legislation. It is a matter that is central to the question. As minister, I have never denied that.

I want to repeat in the House what I have said on previous occasions, during clause-by-clause examination and elsewhere. That is the essence of the government's view with respect to the public policy we seek to enact in Bill 30. With this legislation, we seek to complete the public funding of the 12 grades of a school system that has enjoyed public funding for many decades. It is one that enjoys clear constitutional protection. In that connection, through Bill 30 we seek to complete one system with one set of clear and consistent constitutional rights and privileges.

I know my friend the member for Carleton-Grenville (Mr. Sterling) respectfully disagrees with my interpretation in this regard. I respect his view, but I do not accept it. As Minister of Education in this government, I feel it is important to reiterate that with Bill 30 we are

completing one system with one set of clearly established and consistent rights and privileges. We have argued successfully in the Ontario Court of Appeal that one of the most fundamental of the constitutional rights enjoyed by the separate school trustees is their right to hire teachers who will give effect to the denominational character of their separate school system. That is the case we have made in this chamber, in committee and elsewhere, and certainly in the courts. The Ontario Court of Appeal accepted that case.

Courts elsewhere have also recognized that case. I submit to my friend from Manotick that in the Caldwell case of 1984, the Supreme Court of Canada recognized the right of the separate school trustees to hire teachers who give effect to the denominational character of the separate school system.

In Ontario in 1978, the Court of Appeal ruled similarly in favour of the right of the separate school trustees to hire teachers who give effect to the denominational character of the system.

Interjection.

Hon. Mr. Conway: My friend in the official opposition who is the spokesman for educational matters said, as he has said before, that this is in matters of elementary education only. I say again to my friends in the opposition, whose views I respect but do not accept, that is not the view of this minister or of this government.

We cannot accept this amendment any more now than we could in committee some weeks ago. With Bill 30, we are completing one system with one set of clearly established and consistent protections under section 93 of the British North America Act. We are not starting something new. We are completing something that is old and very fundamental to the way in which public education has been organized in Ontario since the 1840s. For those reasons, I respectfully suggest to the member for Carleton-Grenville that we cannot accept his amendment this afternoon.

Mr. Baetz: I would like to speak in support of this amendment. I do so realizing full well that the likelihood of its being accepted is not very great. With one or two notable exceptions, we saw one Conservative amendment after another defeated in committee, almost with the precision and the dependability of a Swiss timepiece. In this, our last kick at the can, I am not at all sure we will fare any better, but I would like to make this one final appeal, particularly because it now looks as if within a very short time, a matter of hours, this bill will go for final reading and become law.

I still feel very strongly that we must remove the religious discrimination in the hiring of all teachers and do so immediately, not just starting 10 years from now.

I keep asking myself, and I ask the New Democratic Party, if something is unconstitutional, abhorrent or repugnant 10 years from now, surely it is unconstitutional and repugnant right now. That is the one major point I would like to make here.

I know the minister has told us in committee that he sort of held his nose when he accepted the end to discriminatory hiring on religious grounds at the end of the 10-year period, the NDP amendment. He held his nose and agreed with that because, as he said at the time, he could count—unlike Joe Clark. He implied that when he got his majority there would perhaps be some changes made or perhaps in the meantime the courts would come to his rescue and declare the whole thing unconstitutional.

Frankly, I believe and hope that the minister is wrong and that the courts will not find discriminatory hiring practices on the basis of religion to be unconstitutional. I realize the minister and I are in fundamental disagreement on this point, and we have gone into this before. He has made his point again in his short presentation here, saying that he thinks the elementary and secondary Roman Catholic school system is one system, one continuum. It cannot be divided into two sections; one has to see it as one system.

In spite of all his eloquence and rhetoric—and he has a great deal of both; he makes very compelling arguments—I still have to disagree with him. I still think we have two very distinct systems here, both Roman Catholic, but two distinct systems that can, will and should be treated somewhat differently.

The minister goes back to the Court of Appeal decision back in February of this year to make his case that there is only one system. I go back to that decision—the decision of the majority there—to confirm and strengthen my conviction that there are indeed two systems. I will read it into the record again:

“The entire five-member panel agreed that court judgements in the 1920s, known as the Tiny township case, were binding on the current court. Those judgements determined that Canada’s Constitution guaranteed government financing only for elementary grades in Catholic schools. The government was not required to provide grants for Catholic high schools. However, Justices Tarnopolsky, Zuber and Cory concluded that the government had the power to

decide to finance a Catholic high school system,” and so on.

There is no choice in the matter. Surely the Constitution requires that the elementary system be financed, but according to the Tiny township case and the decision of the appeal court it does not apply to the secondary school system. As I say, the minister and I are in real disagreement on this issue.

4:10 p.m.

Unlike the case of the elementary school system, the government can set up a whole number of conditions through this legislation in the way it wants to finance the secondary school system. In fact, I would remind the minister, that is exactly what is in this legislation. There are all kinds of conditions, requirements and regulations in here, pertaining to things such as the transfer of teachers with no discrimination and the single-school community, that must be followed if the government is going to finance the secondary school system. They go on and on. Those things do not apply to the elementary school system.

Therefore, with regard to this whole matter of discrimination in hiring young graduates coming out of our teacher colleges for the next 10 years, I think in this very last moment we should very seriously once again look at the possibility of saying there shall be no discrimination for them either. Surely, we are in a situation in which we can defend or offend a great many people.

I know there is an almost fatal dilemma. There is an inherent contradiction in what we are trying to reach in this bill. On the one hand, we genuinely want to make it possible to extend public funding to the Catholic secondary school system. On the other hand, we are doing it in an environment in which we all know discrimination on the basis of religion in hiring is out of tune with a lot of the thinking of the day.

The mood of the day is integration; it is not segregation. The mood of the day is to reach out for better understanding. The mood of the day is a spirit of ecumenism, yet in this bill we are trying to serve these two almost incompatible objectives; one, setting up, funding and financing a segregated school system and, two, trying to find some balance that would recognize the era of ecumenism and the new era of multiculturalism in which we live.

I realize this is a very difficult thing to do and I can understand the concern the Roman Catholic educators have to maintain their catholicity. I know how they feel about the need to have

teachers who can view the system with this kind of spirit. I can fully appreciate that.

At the same time, I can appreciate the view that is held by so many people that discrimination in hiring offends. For this reason, I appeal to members that in the last hours we would go the whole mile for the sake of compatibility and peace in our time, especially as there is trouble with the New Democratic Party, which feels it is going to be unconstitutional in 10 years but it is not unconstitutional at present. That is something that is of enormous concern to me. I appeal to members that we consider this amendment once again and apply the nondiscrimination practice immediately.

Finally, to add one more reason I feel so strongly about this, we have heard time and again that there is this famous *quid pro quo* dating back to the Constitution, back to 1867, whereby we were going to do for the Protestants in Quebec what we are prepared to do for the Catholics in Ontario. Surely we are far removed from an era—thank God—when it appeared necessary for the state to protect the Protestants from the Catholics. Thank God we have advanced far beyond that.

In the course of setting up this *quid pro quo*, I would remind members of one final thing. We have been saying, “What is fair in Quebec is fair in Ontario,” and I agree, but in Ontario the Protestant school board has been practising nondiscrimination in hiring since 1965. In the name of fairness between the Ontario scene and the Quebec scene, we could very easily approve this amendment.

Mr. Ashe: I will not be supporting this amendment. I do not think it is appropriate.

If we go back two years ago to the announcement of the Premier of the day, the intent was very clear. Rightly or wrongly, in the minds of many people, discrimination—and I use that word only in a positive sense rather than a negative one—is a very important part of maintaining the catholicity within the separate school system. I appreciate that some of my colleagues differ in that regard. I am quite sure the decision will be made ultimately by the court system.

Having said that, I am sure we will have lots of opportunities for that in the next 10 years. I hope it will not be in the courts for 10 years, but we know the court system sometimes works very slowly and 10 years may even be incorrect. That was probably the intent of the original legislation that was changed on a consensus basis within the committee itself.

My colleague the member for Ottawa West (Mr. Baetz) referred to the fact that generally within our environment today, people and denominations have become more ecumenical. I think that is so. Obviously, that has been a very positive step in the right direction.

Whether we like it or not—and I know some do not—the British North America Act predates the current Charter of Rights and Freedoms. It predates many of the problems society has had in living with itself for the last number of years. This protection of the catholicity of the system is very important. It includes some obligation on the part of boards and their hiring policy.

Mr. Davis: I rise in support of this amendment. Some individuals have asked from where the amendment arises. I can tell them it did not come out of a vacuum. It came out of the process of consultation and dialogue with various members of the sectors of the community that make up the educational family. It came from our dialogue with Catholic parents, trustees and members of the clergy.

It is a difficult issue because, as we know, there is a division, not only within society but also within the separate school community itself and the public school community. We can see it within parties. As we strive to place together this bill in a sense of fairness and justice, we believe it is fair and just that non-Catholic teachers should have the right to access the secondary separate school system upon completion of this bill.

The new amendment speaks to one of the concerns that was raised by the NDP Education critic for some protection for the catholicity of the separate school system. I maintain this inclusion, which is a different amendment than we had in the committee and which agrees to respect the philosophy and traditions of Roman Catholic separate schools in the performance of their duties, grants and gives that protection.

As I stated within the committee, I find it very difficult to comprehend the NDP's amendment. If the party believes it is constitutional for the separate school boards to hire only Catholic teachers, it should not have placed the amendment it did. What the party says by its amendment, supported by this government, is that we will accept discrimination for 10 years and after that we will rule that it is out of order.

As we move together on this issue, we need to have a sense of togetherness, openness and sharing. I believe this amendment moves towards that conclusion. I will be supporting this amendment.

4:20 p.m.

Mr. Sterling: I would like to ask a question of the Education critic for the New Democratic Party and of the Minister of Education (Mr. Conway). They do not have to respond if they do not want to, of course. Is their argument that we must have, in this legislation, discrimination for 10 years in order to live within the Constitution?

Mr. Chairman: Does the minister wish to respond to that?

Hon. Mr. Conway: No.

Mr. Allen: I think the answer to the question the member has asked is that, this being a very contentious issue constitutionally—the member for Ottawa West (Mr. Baetz) referred to this as somehow residing within the years of Confederation and to the world somehow having got past all that, which misses the entire point.

There is under the Constitution an ongoing right, confirmed in 1982, and one can read it quite plainly and clearly in section 29 of the charter, that those rights are still there and that they are still indivisible. One can talk about extending the secondary system as though it was somehow not an extension. Nothing in the Tiny township case can be construed as saying that once a government has extended the system, under the right the Tiny township case confirmed was there, no one can then argue that the rights that attach to the lower part of the system do not also attach to the continuation of the system. The rights are one and indivisible. They are given to an identified class of persons and there is no question about that.

If one looks at the jurisprudence around the hiring and firing of teachers and around denominational rights questions in our courts, there is simply no court case in which those rights have ever been challenged and won. That being the case, entering this kind of amendment was obviously a very sensitive undertaking. We recognized not only that it might very well be eminently challengeable but also that it probably would be challenged. We did not want to put it in that class of undertakings in the bill which would be part of the immediate and upfront impact, because we did not want the rest of the bill to become ensnared at the outset in the litigation and, in some likelihood, the reversal of a major clause such as that.

I think that is a very sensible way to proceed. We also did it in order to send a message that there is unhappiness with some aspects of the hiring practices of the separate system. At the same time, the amendment was construed the way it was to underline the recognition that the

teacher is central to the delivery of education in any system and to the delivery and maintenance of the spirit, ethos, values, direction, quality and character of education in any education system. Given the nature of the protections of the separate school system and the teacher being central to that guaranteed character under the Constitution, the issue is obviously one that had to be addressed with the utmost of care.

The question does not hinge upon whether it is constitutionally right in 10 years or constitutionally right today, or constitutionally wrong today or constitutionally wrong 10 years from now. It has to do with the necessity of a process of addressing a very central and sensitive issue.

Hon. Mr. Conway: With respect to the member's invitation, I have nothing to add to my earlier comments.

Mr. Sterling: It will become apparent during this debate that the government will continue to talk about guarantees under section 93 of the Constitution. Let us be clear on what the Court of Appeal, in a three-to-two decision, decided in February 1986: that the Legislative Assembly was under no legal obligation to provide funding to the end of the secondary school system. There is no right.

The court did say that the assembly is permitted to discriminate if it wants to. If we want to discriminate in favour of one group in our society, the Court of Appeal said we could. That is what we are doing today. It is misleading for the minister to compare the extension of that part the court has clearly said is not the same as the elementary school system and to fudge his words in decisions relating to the elementary school system. I should not say misleading; I withdraw that. It confuses the issue.

Let no punches be pulled in this affair. The New Democratic Party, the Liberal Party and perhaps one or two other members are condoning discrimination when we are given the opportunity not to discriminate.

Mr. Chairman: All those in favour of Mr. Sterling's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 2 agreed to.

4:30 p.m.

On section 3:

Mr. Sterling: I have delivered copies of this amendment to all the critics. I do not know whether it is necessary to read it out in full or take

different subsections of it. I will be explaining them in full.

Mr. Chairman: Mr. Sterling moves that section 3 of the bill be amended by adding thereto the following subsection:

“(1a) The said act is further amended by adding thereto the following part:

“Part V-A

“Consolidated School Boards

“(1) One or more public boards and one or more Roman Catholic school boards may jointly propose to the minister that the boards be merged to form a consolidated school board.

“(2) Before making the proposal to the minister, the boards shall each hold a public meeting to provide information to the public and to enable persons who attend the meeting to make written or oral presentations in respect of the proposal.

“(3) The boards shall include with the proposal the text of the written presentations and a summary of the oral presentations made at the public meetings.

“(4) The Lieutenant Governor in Council, with respect to each proposal, may make regulations,

“(a) dissolving the boards and establishing a consolidated school board where, having regard to the proposal, the written presentations and the summary of the oral presentations, the Lieutenant Governor in Council is of the opinion that such action will provide for better administration of the educational system in the area of jurisdiction of the boards to be merged;

“(b) prescribing the provisions of this act and the regulations that apply in respect of the dissolved boards and in respect of the consolidated school board;

“(c) varying the application to the consolidated school board of any provision of this act or the regulations;

“(d) prescribing or providing for such matters as the Lieutenant Governor in Council considers necessary or advisable for the establishment and operation of a consolidated school board.

“(5) A consolidated school board is a corporation with the name ‘The...Consolidated Board of Education’ (inserting the name selected by the board and approved by the minister).

“(6) If it is finally determined by a court that any of subsections (1) to (5) prejudicially affects a right or privilege with respect to denominational schools guaranteed by the Constitution of Canada, subsections (1) to (5) are repealed, it being the intention of the Legislature that the

remaining provisions of this act are separate from and independent of the said subsections.

“(7) If subsections (1) to (5) are repealed under subsection (6), the Lieutenant Governor in Council may make such regulations as the Lieutenant Governor in Council considers necessary for the re-establishment of the boards that formed the consolidated school board.”

Mr. Sterling: I hope the reading of my amendment did not put to sleep everyone who was watching on television or in the public gallery. The thrust of the amendment is to provide a permissive section to allow two school boards in any one geographical area to come together to provide the best possible services for students in both the separate and the public systems. I feel this would be most advantageous in areas of Ontario that are sparsely populated, be they in the north, the east or wherever.

The amendment will kick into effect only if both school boards agree to it. While no boards have agreed to this specific amendment, I believe the legislative framework should be put in place at this time to allow this kind of union to take place, if in the future two school boards—a denominational school board and a public school board—want to help to improve the services to their students by forming such a union.

Mr. Allen: I rise to oppose the proposal. We opposed this for good and sufficient reasons in the committee, and we oppose it for the same reasons now. The mover may remember the old adage of Bismarck that politics is the art of the possible. I keep being reminded of that in a negative sense by the amendments that the Conservative Party brings forth with regard to various parts of this bill, namely, that politics appears to be, in their view, the art of the impossible.

It really is stretching the imagination to think this is the possible solution to anything. The notion that there are separate boards out there that will consent to be dissolved, or might even be within their rights to let themselves be dissolved, in the eyes of the larger Catholic community, to which those rights are accorded under the Constitution, begs a lot of questions in my mind. It is a matter that does more to sow mischief than to resolve anything, and our party stands opposed to it.

Mr. Harris: I rise in support of the amendment. Of all the proposed amendments that have been put forward on this bill, I believe this is the most reasoned and ought to be the most acceptable. I cannot understand the government

not accepting it, and I cannot understand the third party not accepting it.

We are dealing with a permissive clause. Both boards have to agree. In fact, both boards have to want to co-operate to save money, which I suggest to this Legislature and to those boards across the province is not an ignoble purpose. They have to agree that by coming together they could provide better services for whatever amount of dollars are allocated to them through this Legislature, through this government, and through whatever they have to make up with what I submit to this chamber is a very excessive tax burden that is now borne locally.

They may agree that they can co-operate. They may agree that they can provide denominational and nondenominational education in a shared capacity. If they should agree it will not work in this area of the province—in Toronto and in Hamilton, perhaps—why should this be discouraged? Why should this not be allowed? Why should some areas of the province dictate to others and say, “No, you cannot co-operate; you cannot provide services perhaps more efficiently or in a more streamlined fashion, or perhaps save money,” if that is what they see fit to do in their ridings, their jurisdictions or their areas of the province?

I was not one of those who had the privilege of being on the standing committee on social development throughout the extensive hearings and throughout the extensive discussion in the clause-by-clause debate—my colleague reminds me I might have been able to get on had I asked—but I understand the minister had some concerns about the constitutionality of such a permissive section in this legislation. I submit to the members that in my opinion it would be constitutional, although some members may point out that I am not a lawyer or a constitutional expert.

4:40 p.m.

Is that the only reason the minister has for not accepting this clause? I have talked to the minister on a number of occasions. He is cordial and co-operative. I know it is the minister's wish, as it is mine, that there be co-operation out there in the educational community for the provision of what Bill 30 has extended to the separate school boards. If the constitutional argument is the only argument, I point out that the last part of the amendment offers to strike this out of the bill if the minister is right that it is unconstitutional and I am wrong. I do not think I am wrong—I think the minister is wrong—but if the minister is right, it will be struck out of the bill.

I understand the minister has come up with this ingenious method of solving the problem of the constitutionality of the amended version of the amendment that just lost—the famous 10 years of discrimination, following which there can be no discrimination.

It is a very logical amendment. I will wait with interest to hear what the minister has to say, if he has some other arguments for co-operation, for boards working together, for saving money and for delivering educational programs to both school systems in an efficient manner, if that is the method that boards in some jurisdictions deem to be what is right for their areas of the province. If there are other reasons, I would like to hear them from the minister. The only one I have heard is the unconstitutionality.

I believe the reasoned amendment put forward by my colleague the member for Carleton-Grenville covers that. That is the difference between the amendment as it is being put forth today and as it was put forth in committee: If that is the only argument, this covers it in the very same way the minister covered his constitutional concerns about the amendment on teacher access.

Mr. Ashe: I will be very brief, because my colleague the member for Nipissing (Mr. Harris) said it pretty well the way I would have.

I rise in support of this amendment. I appreciate and understand the comment of the member for Hamilton West (Mr. Allen) that this is not going to be applicable everywhere. I suggest it is not going to be applicable in most areas. As we discussed a little earlier, the environment is changing, and in some smaller communities this situation may happen. If it happens, I do not see anything wrong with a permissive section.

I support it because it is permissive. It is not mandatory or binding if one board wants it and the other does not. It will come into effect only if there is agreement. If there is any way we can sponsor two boards to work together more closely, particularly in smaller and more remote areas, which is where it might be applicable over the years to come, that should be encouraged by an act of this Legislature.

If the minister is using the business about its not being constitutional, as we have discussed in all parts of this bill and in the last reasoned amendment that was put forth, the courts are going to be deciding many of these issues in any event. The section that would permit two boards to get together would undoubtedly be decided in the same way. I see nothing against that at all.

People in this party are possibly somewhat more positive than the members of the third party. I hope the government, whose position is espoused by the Minister of Education (Mr. Conway), will see it accordingly.

Hon. Mr. Conway: I very much enjoyed the contributions of my colleagues opposite, especially that of the member for Nipissing, who brings to this chamber long experience as the chairman of the Nipissing Board of Education, among his many other activities.

I want to say to the member for Nipissing and to the proposer of the amendment, the member for Carleton-Grenville, that there is no difference of opinion about the desirability of co-operation between two publicly funded school boards that will exist in those areas where the separate school board makes an election to offer secondary programs. I believe we are agreed on that.

My friend the member for Hamilton West will agree as well that when the committee discussed this, there was a high degree of consensus about the desirability of providing, both in the legislation and in the administration of this important public policy, mechanisms that will encourage co-operation between the boards.

I want to make it clear that is my view, as the member for Nipissing has correctly noted. The question then is, how do we best achieve the kind of co-operation we all feel is desirable? In consideration of this important issue, I submit to my colleagues in the official opposition that the standing committee on social development, in writing section 136ka into the bill, has achieved an appropriate mechanism to help and encourage boards to work together in those areas of mutual interest.

I do make very clear my view that there will be, from time to time and from place to place, more or less opportunity for boards to co-operate. We have seen some of that in the months following the announcement some two years ago by the then Premier, William Davis, of this initiative that we come to conclude in this chamber today.

I believe the mandatory liaison committees that are now provided for in section 136ka are an important, positive step in the direction of increased co-operation between boards. I note, for example, that the standing committee in its wisdom took particular effort to include in the mandatory liaison committee those boards, and I can think of some, where an extension that is made on the separate side will necessarily involve two or three coterminous public boards. In considering that possibility, the section to

which I make reference is helpful. I note that the committee took into account the issue of francophone representation; that too is addressed in the section to which I have made reference.

I do not accept the amendment because, on balance, I do not think it is as appropriate or as helpful a mechanism for the desired interboard co-operation we all seek as is the better section 136ka, which in its wisdom the standing committee wrote into the legislation. Let there be no doubt at all that there is a high degree of consensus about the need and desirability for co-operation. We want that. I believe section 136ka will materially help us achieve that, and in that respect, I believe it to be a better mechanism than that which has been respectfully submitted by my friend the member for Carleton-Grenville.

Mr. Sterling: I find the minister's arguments somewhat specious when he tries to say co-operation cannot be achieved in this manner. If he is truly for co-operation between the boards, he should offer as many possible solutions as possible. This is only another one.

I agree with him with respect to trying to encourage co-operation so our students, be they Roman Catholic or non-Roman-Catholic, or be they pupils of one board or the other, get the best possible education our province can afford to give them.

All the minister is doing is throwing back at me his intransigence on the fact that he will not accept that some parts of the province may choose to take this route to provide the very co-operation he is talking about. I find his argument very specious, and I thought he could do better than that.

4:50 p.m.

Mr. Harris: I will be brief and not prolong the debate, but I also find the minister's argument very weak. By not including a permissive section to allow the ultimate in co-operation when any two boards so choose, I believe he is sending out a signal he does not intend to send out. I cannot understand, knowing he does not want to send that signal out, through what stubbornness he refuses to allow this permissive section to stand in the bill. I say to my colleagues in the third party, I do not understand their stubbornness in not allowing this amendment to go forward. I am very disappointed in both of them today.

Mr. Jackson: I too would like to reply to the minister's response. I thought it was a fairly good response, although it was a little narrow. I am disappointed. Given that the amendment sets itself out as a model for co-operation, which all three parties hope to achieve and to which he now

refers with such appreciation, it is deficient in so far as the minister spoke against the representation of the teachers' federations and possibly students or members of the community at large to serve in that capacity.

I thought the minister's remarks were right on but, unfortunately, too narrow. If the minister has had an 11th-hour conversion on this specific point I invite him, quickly and with the patience of the House, to draft amendments allowing for the very structure he now indicates would be helpful in seeking out the solutions that he and all parties want on this bill for the years to come.

Mr. Chairman: All those in favour of Mr. Sterling's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 3 agreed to.

Sections 4 to 8, inclusive, agreed to.

On the preamble:

Mr. Chairman: Mr. Sterling moves that the preamble to the bill be struck out and the following substituted therefor:

"Whereas the Legislative Assembly of the province of Ontario wishes to grant to Roman Catholic school boards public funds to support education in Roman Catholic separate schools to the end of secondary school."

Mr. Sterling: I propose this amendment because reading the preamble to an Act to amend the Education Act under Bill 30 leaves a distinct impression that this right or privilege given to one group results from a right in the Constitution of Canada. The Court of Appeal decided in May that no such right exists. I believe the Legislature should therefore put forward that it is giving this right as a matter of its own choice. The right is not springing from the Constitution.

Mr. Allen: On behalf of my party, I reject both the argument and the amendment. The amendment that the member proposes says, "Whereas the Legislative Assembly of the province of Ontario wishes to grant...." The fundamental question that raises is why the Legislature wants to grant the funds or why it wants to extend the system.

The original preamble said it is there because there are constitutional grounds for it and there are certain reasons it should be extended to meet the educational needs of the students in question and so on. All the preamble in the bill does is spell out what the member wants to say, namely, the reason the province wishes to do this. It states

that in a very economical and straightforward fashion and provides a sensible and even somewhat eloquent preamble to a very impressive and important piece of legislation.

Mr. Baetz: I would like to support this amendment. I do so because it is short, factual and to the point, whereas the preamble in the bill is very long and sounds more like a homily that the minister wrote himself. The voice of the minister comes through here very strongly. I do not think any bureaucrat, no matter how educated he or she is, would write this preamble. This has to be somebody with the minister's feeling about this legislation.

I go back to my fundamental problem with it. This preamble talks as though it were one system. That is not the case, as my colleague has pointed out. The Ontario Court of Appeal decision made it very clear that there are two systems, the elementary school system and the secondary school system. What one does for the secondary school system is permissive and not obligatory under the Constitution, whereas what one does for the other system is obligatory. The whole preamble is filled with this spirit. As I say, it is not factual; it is more a matter of opinions, some quite cleverly worded, so that one could read a dozen things into them.

I am also convinced there are thousands of people who would not agree with what is in the preamble. They would say it is not historically factual. As a matter of fact, they would be offended by it. Therefore, the preamble for some people can even be inciteful. Why go through it? Why drag this red flag across the ring? Why not simply stick to the facts as the member for Carleton-Grenville has stated them? Let us make the preamble brief and stick to the facts.

All of us here are aware of this. Today, we had another petition carrying some 5,000 names of people who are entirely opposed to the bill. There is a lot of feeling out there about the bill. Why come out with an inciteful preamble like this? Of the people in Ontario, 52 per cent have indicated they do not like the legislation and are opposed to it.

5 p.m.

In my own riding, between 75 per cent and 80 per cent are opposed to it. A preamble such as this is not going to help that kind of attitude at all.

However, I heard what the member for Hamilton West (Mr. Allen) said about this. I heard what he said about the two previous amendments. The trend is all the same; it is simply going to be, "No, no, no." The unholy alliance is at work, and we are hearing today

what we have heard all through the sittings on the clause-by-clause consideration. Anything we introduce is automatically, a priori, dismissed and shot down. With that rather unhappy and pessimistic note about this bill being amended, I take my seat.

Mr. Chairman: Is there any other honourable member who wishes to participate in this amendment?

Mr. McClellan: Where is his missing limousine?

Mr. Breaugh: At least he still has a chair.

Mr. Chairman: Order. It has been very settled today. Let us keep it that way throughout, please.

Hon. Mr. Conway: Mr. Chairman—
Interjections.

Mr. Chairman: The minister is having trouble. Members are giving the minister difficulties.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Conway: Mr. Chairman, may I say that your last injunction about how it has gone this afternoon was very wise counsel that I hope is heard by all in the assembly.

I want to briefly touch upon the amendment which has been put by my friend the member for Carleton-Grenville (Mr. Sterling) and an amendment which was put previously by another member. Perhaps it was the member for Ottawa West (Mr. Baetz)—I cannot recall—in the clause-by-clause examination of the bill.

May I say to my friend from Ottawa West, whose views I always listen to and always respect, although they are views I do not always accept, it is not true to say that amendments put in committee by the official opposition were not agreed to by the committee. I can think of some amendments that were put by the official opposition that were agreed to and now stand as part of the bill.

I want to put that on the record, and I also want to quickly say that the preamble, which is now a matter of discussion by virtue of my friend's amendment, is from my point of view an important part of this bill. This is an important and historic piece of legislation, about which, as the member for Ottawa West rightly notes, there is not unanimous agreement.

What we have tried to indicate in the preamble is something of the historical context and development of this very significant aspect of public policy in the educational community of

Ontario. I submit to my friends in the official opposition that the preamble sets out properly and accurately the historical developments that led to the introduction of Bill 30 almost one year ago.

Having regard to the important aspect of public policy we are dealing with in Bill 30 and noting the long and controversial debate that, in so far as the Legislature is concerned, will now be concluded when we pass Bill 30, I think it is important for those who follow to note that this Legislature had some sense of the historical development and some appreciation for the historical context in which Bill 30 was introduced and in which it was passed.

For those reasons, I stand with the preamble and, therefore, do not accept the amendment put by my friend from Carleton-Grenville.

Mr. Chairman: Shall Mr. Sterling's motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Preamble agreed to.

Section 9 agreed to.

Bill 30 ordered to be reported.

On motion by Hon. Mr. Conway the committee of the whole House reported one bill without amendment.

EDUCATION AMENDMENT ACT

Hon. Mr. Conway moved third reading of Bill 30, An Act to amend the Education Act.

Mr. Harris: Mr. Speaker, there are several members who have indicated a desire to speak on third reading.

Mr. Speaker: That will be fine if those members will get on their feet.

Mr. Harris: Mr. Speaker, you are on your feet. We have always been told we cannot get on our feet while you are on your feet.

Hon. Mr. Conway: Mr. Speaker, on a point of order: It was my expectation that there would be a debate on third reading in which honourable members would be participating. We are moving to that stage. I regret the confusion that might have been caused.

Mr. Reycraft: I am pleased to be able to participate in this debate today. I am sure the bill will prove to be a very significant one in the history of Roman Catholic denominational schools in this province. However, while the day may be one of significance, I suggest it is not the

final step in this process. Rather, the implementation of the policy will likely take several years.

Nevertheless, it is a very significant day in a process that started some time ago. I do not refer to last July 4 when the Minister of Education introduced Bill 30, nor do I refer to that occasion more than two years ago when then Premier Davis rose in the Legislature to announce that separate secondary schools in this province would be funded equally with those in the public system. Rather, it is a process that dates back to the active union in 1841 to which others have referred this afternoon. It has been addressed subsequently in the British North America Act of 1867 and most recently in the Constitution Act of 1982.

5:10 p.m.

When Bill 30 was introduced by the minister last July 4, the debate on its principle which followed introduction was a very extensive one. As I recall, there were very few members of this Legislature who did not participate in that debate. The debate concluded on July 11, a week after the bill's introduction when, I remind members of the assembly, they voted 117 to one in support of Bill 30. I am sure members will recall that the bill was then referred to the standing committee on social development along with the minister's request that there should be public debate on the issue and that there should be no arbitrary deadline applied to those public hearings.

The hearings started very promptly after referral to the committee, on July 16, just five days after second reading, and concluded slightly more than four months later, on November 19, as I recall. During those four months, the committee travelled to seven cities outside Toronto and received almost 900 submissions. I think the exact number is 876 but I stand to be corrected on that.

We heard submissions from individuals, some of them very interesting individuals, as my colleagues on the committee will recall. We heard submissions from groups. We received input from students, parents, teachers and boards of education. We received presentations from citizens, some of them with very distinguished educational backgrounds. Others were citizens who simply held very strong opinions about this policy and wanted to express those opinions.

The submissions came to the committee in a rather wide variety of forms. Some of them were very extensive and comprehensive. Some of them were even accompanied by rather impressive audio-visual presentations. Others, in con-

trast, consisted simply of single-page presentations and some were made to the committee orally.

The opinions and advice contained in those almost 900 submissions covered a wide range of topics. Most of the messages were directed to the policy. Many of them were expressions of concern about the impact of Bill 30. Others consisted of very helpful advice on how the policy could be implemented in a way that was fair and consistent with the six principles the minister identified as the basis of the bill this past July. A good number of the messages contained in the almost 900 submissions were directed at educational issues beyond the scope of Bill 30. The ministry has addressed itself to some of those already and will be addressing itself to others in the months ahead.

I know I speak for all of us on the committee when I say we listened very carefully to those who made the presentations before us. Since that time, I and others in the ministry have read the submissions, considered the advice and opinions rendered to us, and as a result of the hearings that went on for just over four months and as a result of almost 900 submissions, we proposed a number of amendments, many of which were very substantive, to the bill. The amendments will, in our opinion, allow for a much fairer and a much smoother implementation of the policy.

Subsequent to that, we listened very carefully in clause-by-clause debate on the bill to the committee members from other parties as they put forward their amendments and expressed their arguments in support of those amendments. Despite what the member for Ottawa West (Mr. Baetz) suggested this afternoon, some of those amendments proposed by the official opposition have found their way, albeit in slightly amended form, into the Bill 30 reported to the Legislature this afternoon.

I would like to comment on just a few of those amendments. The bill as it has now been amended will provide what I think is very considerable protection to the single-school communities in this province. I am quite prepared to admit that the amendment now in the legislation was put forward by the critic for the official opposition. Again, after some debate and with some slight adjustment, it has found its way into the legislation with our complete support.

I am pleased that we have been able to provide that kind of protection. I remind the critic and other members opposite that protecting the viability of the public school system was, as the minister indicated, the very first principle on

which the bill was based when he introduced it a year ago. His statement that no single-school community would lose its school as a result of extension was made again and again—last summer, last fall—in the time since the bill was introduced.

Section 136v of the act, as set out in section 2 of the bill, identifies some specific criteria which must be met before the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario can recommend to the minister that the implementation plan of a separate school board be approved.

The legislation as now amended also provides much more extensive protection for employees of public boards whose employment might be jeopardized as a result of a shift of students to a Roman Catholic school board following implementation of the policy. Changes that have been made to that section, 136l, now allow much more flexibility than was permitted by the original bill—flexibility in identifying the people who may be so affected and the ways in which their employment may be protected.

There were a lot of other changes to that section which I am sure will better provide such protection, on which I will not go into any detail.

The amendments will also result in a secondary educational system in which all schools supported by public funding are fully accessible to all students, regardless of the designation of their parents' property taxes or their religious convictions.

In addition, provisions are now made for the exemption of non-Roman Catholic students who go to separate secondary schools from courses in religious education. Both of those are, in my opinion, very healthy changes, changes that will provide a better overall secondary system of education in this province.

The amendments to the bill generally add considerably more flexibility than the original Bill 30 would have provided. Much of that flexibility is needed to address the diversity of the educational system in this province. This is a diversity that all members of the committee came to realize as they listened to the presentations made before them between July and November 1985.

Because of that diversity, implementing this policy is going to be very complex. It is going to require sensitivity and co-operation, perhaps unprecedented, between boards of education. It was observed last year that where the implementation has gone smoothly, there has been

co-operation. It is going to be required in the months and years ahead.

5:20 p.m.

Before I conclude my remarks, I want to express my appreciation to my colleagues on the standing committee on social development, particularly those involved in the debate and public hearings from beginning to end. It was an unprecedented experience for all of us, one that we will perhaps never have the opportunity to go through again.

Many of us were new to the Legislature, and because of that I particularly want to compliment the chairman of the committee, the member for Scarborough West (Mr. R. F. Johnston). He has handled what has proven to be a very controversial public policy in a thoroughly sensitive manner, and I compliment him for that.

Because a number of us on the committee were new to this Legislature, he had to do a little teaching as well and acquaint us with the parliamentary procedures as they are followed in a standing committee of this Legislature. He did so with a great deal of patience and expertise. I want to thank him very much for his leadership.

To the colleagues from my caucus who were on the committee almost throughout the entire experience, the member for Mississauga North (Mr. Offer), the member for Waterloo North (Mr. Epp) and the member for Haldimand-Norfolk (Mr. G. I. Miller), I say all of them have approached what has been a very demanding and a very challenging experience in a responsible way. I thank them for their commitment to the committee.

To the members on the committee from the official opposition who were with the committee throughout the hearings, the member for Scarborough Centre (Mr. Davis) and the member for Burlington South (Mr. Jackson), both of them brought to the committee an educational background with experience on boards of education that proved to be very helpful to us not only through the clause-by-clause debate but also through the hearings.

To the member for Hamilton West (Mr. Allen), the critic for the New Democratic Party, his very extensive knowledge, not only of the history of the province but also of its educational system in particular, was of great assistance to me and to the other members of the committee.

The experience on the committee in association with this policy has provided me with one of the most interesting, challenging and valuable experiences of my political career. I am very pleased to have been a part of it. Having said that,

I am pleased we are now approaching third reading.

Mr. Sterling: Let me begin by first thanking the many members of this Legislature who sat on the standing committee on social development over the past year to deal with this very complicated, complex and difficult issue of Bill 30. I appreciate the time and effort they have put forward to try to make this as good a piece of legislation as is possible.

I also would like to congratulate the minister and his staff on how they have handled themselves during the past year in keeping conflict to a minimum.

I speak in opposition to Bill 30. I do not do it to be vindictive against any one religious group. Both of my children, Ian and Sarah, attended the separate school kindergarten. I have no hesitation, or would have no hesitation, in entrusting my children to that very fine system of education.

Last year, during the debate on second reading of this bill, I expressed my opposition to the bill on philosophical grounds. I said that at the time when we forge our thoughts, goals, and personalities during our childhood, I do not believe it benefits us or society to be divided in society on religious grounds. This is what we are doing today. We are extending the divisions that already exist in Ontario society. I do not believe the state should voluntarily pay to indoctrinate children in one religious belief to the exclusion of all the others.

Our Attorney General (Mr. Scott) has told this House of his pride in being one of a group in his family that has pushed for Roman Catholic education for almost 130 or 140 years. I can understand his pride, joy and feeling, and that of many others such as my friend the member for Sudbury East (Mr. Martel), in achieving the extension of separate school funding. However, that very successful lobby which has existed over the past 130 or 150 years does not apply to what Ontario is today. It is not 1841, 1867, 1899 or any of the other magical dates that are quoted to us. It is, in fact, not June 12, 1984. Ontario is a pluralistic society and is becoming more so every day.

Our society will not tolerate bigotry, racism or discrimination. This legislation, in my estimation, takes us back. It leads us back to confrontations and misunderstandings in our society that existed some time ago, but fortunately have been disappearing in more recent years. Let us be clear about what Bill 30 does. Bill 30 clearly discriminates in favour of one religious group over all other religious groups. As a

director of a separate school board said to me one or two months ago, "Anyone who says this legislation does not discriminate does not know what Bill 30 is all about."

In 1982, this Legislature passed a resolution in favour of our Constitution of Canada. Included in that constitution were guarantees for separate school funding under section 93. However, it also included a Canadian Charter of Rights and Freedoms, which limits the powers of our Legislature to make laws as it deems fit. As legislators, we are not afforded the capability any more to make unreasonable discrimination in favour of, or against, one group. Subsection 15(1) of our charter says, "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on...religion..."

I deem the meaning of this Legislature in approving our Constitution of 1982 to be very significant in that we not only stated what we wanted in a charter but also that we were willing to limit what we should decide in the future, that whenever we were given the opportunity in this assembly to discriminate or not discriminate, and it was a toss-up whether we should take the direction of discriminating in favour of a group, we should balance ourselves off by subsection 15(1) of the charter and say, "We should not do it because that is what we agreed to as a general principle in making laws in this province."

Two or three weeks ago, I sat in this Legislature with all the other members to listen to Bishop Tutu, who was not 15 feet from me. Looking around this Legislative Assembly then, I could not help but think and say to myself, "How do the white people of South Africa justify their discrimination against the black people of Africa, something I abhor?"

The comparisons are nowhere fair and the exaggerations are great when talking about South Africa.

Mr. Rae: If they are not there, do not make them.

5:30 p.m.

Mr. Sterling: There are some comparisons. When a group of people try to discriminate in favour of another group or against a group, they go back to a historical background. They try to paint the fact that they can discriminate on the basis of some number of historical facts. The Court of Appeal has not decided that there is a legal obligation on this Legislative Assembly to grant these rights. It is not in the Constitution that

those rights exist. We are given the opportunity to make this move.

Perhaps members will forgive me because of my feeling in terms of the principle that has been ingrained in my character in regard to discrimination. I believe the citizens of Ontario should be equal as far as is humanly possible, but I look with some scepticism at the reasons for condoning the actions of this Legislative Assembly.

In talking about what the Court of Appeal decided in February, I have indicated to this Legislative Assembly that there was no right to the funding. In some ways, the Court of Appeal was pretty smart in the way it dealt with it. They said, "You have given us the ball, but we are going to give you the ball right back."

In July 1985, when I voted against this bill on second reading, I said:

"I think many members of the public and of this Legislature believe we do have a constitutional, legal obligation to fund separate schools to the end of high school. Quite frankly, I hope the court resolution says that in spades. If it does, I have no problem. I will vote for this bill on third reading and have no problem at all. But if it does not say we have a constitutional, legal obligation to support separate schools to the end of high school, then we must treat every group the same. We cannot discriminate against other groups. I will stand here and fight against that."

As many know, the Court of Appeal decision has been appealed to the Supreme Court of Canada. That decision may be decided in the early part of 1987. Many of my colleagues, as lawyers, have come to me with unsolicited remarks about the majority judgement of the Court of Appeal and expressed some concern over the reason behind that majority. They indicated to me that they do not understand how the Supreme Court of Canada can uphold that decision on the same grounds. Several newspapers have also questioned the decision of the Court of Appeal.

I do not know how our courts are going to deal with this matter, but, as I have said before, it is not the responsibility of this Legislature, the separate school boards across this province or the government to forge ahead until the legitimacy of this legislation is confirmed by our highest court. The three-to-two decision of the Court of Appeal reinforces this caution and this approach. I hope the lives of many of the young people who are acting on our legislation and our moves to fund separate school boards in the interim are not damaged when this issue is finally laid to rest.

Perhaps more important than the issue itself was the failure of our democratic process to have an open and public debate on this issue before it was decided. As members know, I was a member of the cabinet of Ontario when this issue came before us at 11 o'clock on June 12, 1984. In 20 minutes the issue was decided by cabinet. One can imagine the range of discussion that took place during that period of time and how great an amount of discussion might have taken place. My caucus met before two o'clock when the announcement was made, so in the time between 11 o'clock and two o'clock, our caucus and our cabinet were supposed to have been sold on this issue.

For the opposition parties, there was even less notice, because until the opposition parties came to the Legislative Assembly at 2 p.m. and heard the words of former Premier Davis, they had no inkling of the issue and they had no inkling of the repercussions of making a decision on this. However, a decision was made by all three parties at that time—at least that is what we keep hearing thrown back to us time after time.

For two years we, as politicians in this province, have been defending a decision in which we have had little participation, if any. All three parties and all three leaders continue to close down open debate on the central issue. Legitimate questions about the very thrust of the basic decision were not answered. In the May 2, 1985, election the people of Ontario did not get an opportunity to have the issue debated in the open, as all three party leaders avoided the issue like the plague.

We heard all kinds of excuses both inside and outside the party: "In the name of party solidarity, we must hold fast." "We cannot change our position," as we heard from press reports of the New Democratic Party convention this weekend. "Our leader will look weak to the media and to the press if our caucus is divided." Excuses, excuses about why we could not discuss this major issue in the open.

Thus, with the exception of the hearings of the standing committee on social development after second reading, after the principal issue had already been decided, we did not have any semblance of open debate.

We went ahead and provided interim funding. I do not know what the intention of the government was in doing that. Perhaps it was an attempt to prejudice the decision-making process that was going on at the same time in the Court of Appeal. To go ahead without the legal question having been answered, in my view, was irre-

sponsible and wrong. It may still be proved wrong if the Supreme Court of Canada upsets the Court of Appeal.

Even to this day deals are being cut among the three parties. We have read in the press that the parties have decided to limit debate in committee of the whole House and on third reading, that it is so important to have this debate over in one day, the most important debate on our education system that we have ever entered into, at least within the history of my political career of nine years.

5:40 p.m.

No party in this Legislature will accede to a free vote. I do not know what the result of a free vote might be, but I suggest it would be close. The issue has shown me that our political system is in trouble. It is in trouble when the power of a Premier, the power of a leader of his party is such that MPPs are not willing to stick with their principles, at least until they have an adequate time of consultation before a policy which contravenes a major part of their political makeup is brought forth. When that happens, I believe there is a major problem with our political system here in Ontario, and perhaps in Canada.

It might have been better if all three leaders had met and decided the issue in a room. For the people of Ontario to go through an election campaign without a chance or choice on at least one of the major issues is hardly a lesson in democracy. Today we are closing another chapter, although perhaps not the last, because this Legislature may still have to wrestle with Bill 30 and its constitutionality if something does happen in the Supreme Court of Canada in 1987.

As many members know, I was a professional engineer and a lawyer before I came to this Legislature some nine years ago as the member for Carleton-Grenville. I am proud of what I have been able to achieve during my lifetime. I was not the son of a lawyer, a doctor or any special person in society. My father died when I was two and my mother brought up a family of four young children on her own. She taught me that if I worked hard and followed my principles, I could achieve any goal I wanted to achieve. She taught me that justice and fairness were the most important things we could have in our Ontario society.

While we are not all alike and we have different talents, we should all be given the same opportunities as far as is humanly possible. I believe this piece of legislation perpetuates and encourages the existence of different classes of

people; or even worse, different classes of children. They are put into different streams of society. That differentiation is not based on any rational or logical grounds, but on what the religious beliefs of the parents of those children happen to be.

In my view, to vote for Bill 30 is to vote for discrimination which Ontario society should not tolerate. To vote for Bill 30 is to vote for a division of our society on religious grounds, or at least an extension of that division. To vote for Bill 30 is to vote against everything I believe in.

Mr. Allen: I rise to participate in the last stage of our consideration of Bill 30, a process which began, as we know, two years ago in one sense, but many years back in another. The issue has seized the province for almost time without end. I am, therefore, immensely pleased to be part of a Legislature which has finally closed a chapter and opened a new door, which has said that a bargain made at last is a bargain kept and that a wrong is righted and justice is done.

In 1970, this party was the first of the parties in this province to reverse long-standing positions on this issue and to adopt a comprehensive resolution to address the question of the discrimination that existed as the laws were with respect to the separate school system in Ontario. I want to say at the outset that while this bill does not resolve all matters of discrimination in relation to education or anything else, none the less it does resolve some major and central issues of discrimination.

If it is legitimate in our country to enrol one's children in a separate system, if the government is obligated by law to fund even the elementary years up to the end of grade 10 and if the government and this Legislature are committed to equal opportunities in education, then it is patently discriminatory on the part of this Legislature and on the part of this province, and discrimination of the most flagrant sort, not to provide the 500,000 separate school students for whom they are responsible with equal and full funding in a complete system of education.

One can argue the question of obligation until the cows come home, and maybe the Supreme Court of Canada will settle that once and for all, but at the heart of the Court of Appeal's decision in the argument it gave in February was the observation that this province had not kept a bargain that had been made. I remind members that it was a bargain made by all parties to that agreement at that time.

It would be a luxury to stand here and recall all the process we have been through, to look at the

range of impacts this legislation will have, to examine the bill in detail and to see who contributed what to what part of it. I say that would be a luxury because, given the business before this Legislature at this point, I do not think there is time for all of us to do that at the length at which the member for Carleton-Grenville (Mr. Sterling) has just done it.

It would be a luxury to attempt to answer point by point and, in particular, the very invidious observation that this piece of legislation in any remote sense bears comparison to anything that exists in South Africa or existed under the discriminatory practices in the United States with regard to a particular race of people.

When Egerton Ryerson observed that he did not like the fact that there was a separate system developing in Ontario in his day, none the less he counselled generosity. He recognized a principle was being fought for by those people in his time, and it has continued to be a principle that community has fought for, that is, the essential integrity of the relationship between religion and culture and between culture and education. From their perspective, those cannot be divorced. They have been consistent, indeed they have been the more consistent, with regard to their approach to and structuring and direction of the education they have wished for their children.

In the strength of opinion this party has developed and, not least of all, reiterated at our recent convention by an overwhelming vote, nothing that we have done or intended to do with respect to separate education in the public system detracts in any measure whatsoever from our commitment to see the public school system, elementary and secondary in this province, well funded and equally funded between the elementary and secondary panels.

Nothing detracts from our intention to attack in this province the embarrassing existence of 1.4 million who are functionally illiterate, to deal with the curricular problems of general level students, to deal with the difficulties of those who are now getting more adequate and mainstream attention under special education legislation in this Ontario of ours.

5:50 p.m.

I repeat that nothing we have intended and nothing we have done in this bill is intended to impact and adversely affect. All 13 amendments we accomplished in this bill have provided for a much more open and flexible system. I want to pay tribute to the minister for the accommodating spirit in which he approached this bill and for the diligent way in which his parliamentary assistant

related himself to the committee in an attempt to meet the concerns of as many members of that committee as possible.

We have provided for a much more co-operative system of education than has ever existed in this province in the past. That will be the accomplishment of Bill 30 and, in a significant measure, the accomplishment of this party and of this Legislature. For the first time, our amendments have provided for joint-board committees to magnify and escalate the amount of sharing that will exist between the systems. We have provided for equal access between the systems as far as students are concerned and, hence, maximized the flexibility of programming to which they have access.

We have provided for a foolproof system of teacher transfer and staff transfer and all the protections that go with that. We have provided for substantial guarantees for single-secondary-school communities. Broadly speaking, in amendment after amendment we have done things for public education in Ontario that did not exist prior to this bill. In a certain sense, that is a result of the resolution this party passed in 1970 for which we have fought with a consistency I do not think any other party has matched.

Within the past two years, with a sense of maturity, discipline and responsibility with respect to our task, we have listened carefully to all sectors of the educational community and we have listened carefully to the public. I want to pay tribute to the members of the committee who, in those months of intense hearings, listened with such patience and responded with such care to the public that there were times when in our meetings in those communities that the committee was actually applauded at length when it drew its hearings to a close. All people present on those occasions recognized that something very significant was happening in terms of public process.

Mr. Speaker, with your indulgence, I want to conclude my remarks on the bill by reading into the record the resolution of 1970, which started this whole process afoot. I want to read it because it is an unusually thoughtful resolution. It was devised with great care, and it is amazing how it has stood the test of time.

"New Democrats define the goals of education in terms of the equal opportunity for education of every individual child in Ontario. We have accepted the principle that continuous education must be equally open to every child in this province.

"The existence of two public school systems is deeply embedded in the Constitution and history of this province. If there are now those who believe that a religious dimension is not a necessary complement to the full education of a full person, Roman Catholics insist that it is. They have backed their conviction with great self-sacrifice in sustaining a separate system of education.

"As Ontarians, we understand the history of our province. As socialists, we accept and must defend the principled diversity of our community. We would repudiate a situation which would effectually starve Roman Catholics into subservience to a majority view of secular education.

"The present situation cries out for a solution. The public separate school system in Ontario suffers bitterly from the limitation of grants from grades 9 to 10 and their total absence from grades 11 to 13. The educational opportunities available to Catholic students are, therefore, stunted. Their parents are subjected to what is effectively double taxation. The whole community suffers from this failure.

"The separate system of education in Ontario will not disappear. That fact is confirmed by more than a century of struggle. Furthermore, we state that its continued existence and support is not in question here.

"Therefore, the separate public system must be rendered able to provide full opportunities for its share of Ontario students with a minimum cost in division and duplication of existing educational programs.

"It is to this end that the New Democratic Party endorses the concept-of-sharing plan. We offer Ontario a way of doing justice to Catholic children without imposing large extra costs and the waste of duplication. We call for full grants for Catholic school children from kindergarten to grade 13 on the condition that separate school boards and public school boards join in planning shared facilities and services to meet the needs of all students in every community. In many parts of Ontario, programs of sharing are already in operation at the junior level. We know that this co-operation can be extended in such areas as buildings, provision of special consultative services and student busing. Implementation of this concept of sharing promises justice to both the majority and minority of our province."

We are satisfied that this legislation fulfils the objectives of our resolution of 1970.

Hon. Mr. Nixon: I do not come from a religious or a community background that would normally have supported the initiatives now

coming to fruition on this historic day. From that background I was able to enthusiastically support the concept of completion many years ago. I am delighted and honoured to be associated with my colleagues and others in this House, as the numbers have swelled to the point where we believe this bill will carry on third reading almost unanimously.

To those who might be interested, I want to recall the historic debates in this Legislature in 1935, 1936 and 1937 on this matter and indicate in modern history the Liberal Party's association with the principle we are discussing.

I also want to say that Dr. Frank Walker of Loyola University in Chicago wrote the definitive historical review and piece of literary work about the politics and realities of this issue. I remember reading his volume with care. At a time when this was particularly difficult for me, it set out in a clear and orderly way the evolution of events from our constitutional, religious and educational history in this jurisdiction.

Probably my greatest recognition must go to the late Archbishop Pocock who, in his senior position in those days, undertook to assist politicians of all parties to review the past and consider reasonable alternatives. I will never forget his ability in a reasonable and moderate way to persuade politicians such as myself, representatives of the Progressive Conservative Party and the New Democratic Party, to come to a meeting of minds. He, probably more than anyone else, made it possible for me to support this policy. I am very grateful to have known such a great man.

I would also like to recognize the role played by Carl Matthews, SJ, the present chairman of the separate school board of Metropolitan Toronto who has attended many sessions of this Legislature and is in the gallery now. For many years, he saw that all sides of the Legislature were adequately and fully informed of the statistical situation associated with the funding of separate schools, particularly compared with the then public system. I appreciate his tenacity, his ability to set the facts forward fairly and his continuing friendship.

This is a great day. As a former Methodist, there is only one word that occurs to me, and that is "hallelujah."

6 p.m.

Mr. R. F. Johnston: I appreciate the opportunity to speak in this debate. I am sure the Minister of Community and Social Services (Mr. Sweeney) appreciates why I am not taking part in his estimates at the moment.

I wanted to speak today because, as chairman of the standing committee on social development, I have not had a chance to talk for the past 10 months. Everybody else has been talking around me on this issue. I have been listening carefully and I want to have at least some words in these last few minutes before this bill finally becomes law.

First, I want to compliment the committee. The committee sat through long hours. Anybody who thinks committees travel about only to test the cuisine in various parts of the world should have been with that committee, which often sat 14 hours a day and sat six days in one week and put in very long hours listening to people.

There is a gulf of misunderstanding on this issue that is just phenomenal, as any members who have had discussions with constituents on one side or the other of this issue have all found. So much so that even today I gather there were again comparisons of this law to what one might find in South Africa. That is the kind of extremism and the kind of unfortunate misunderstanding of what we are trying to do.

As committee chairman, I watched people on all sides of the committee wrestle with how to extend to a school system minority rights which are entrenched as part of the Canadian fabric, how to allow Catholic kids to have the same kinds of rights to a good education as we are guaranteeing in the general public system, how to balance that somehow with the question of civil rights and with whether some of the powers and discriminations vested in the Catholic system to maintain its catholicism need to be maintained or even enhanced as we end the 20th century.

I thought I saw people coming in who had fixed minds on this, and I might even include myself in this because of my own bias on this issue. One of the first election campaigns I was involved in was with Walter Pitman in Peterborough in 1971 when, in my view, he lost because of this issue. I have noticed those people in that committee change during the many months and understand that many subtleties on both sides needed to be taken into consideration.

If there were ever going to be a time when the art of compromise was necessary, it was going to be on this legislation. All the skills we could muster were going to be necessary to give not only the semblance of bridging the gap by our hearings, when almost 1,000 groups came before us, but also to give effect to the fact that we had been listening to both sides and trying to find some kind of balance that would make sense in Ontario, something that would not be perfect for

either side, something that would not rest this issue for all time in the minds of the citizens of this province but at least something which we could look back on and think we did the best we could.

We made the kinds of value judgements that were very difficult, and the 10-year phase-in on the civil rights question gave many members a lot of difficulty. The whole question of whether it should be total open access also gave us a great deal of difficulty from both the sides of catholicism and civil rights.

I have to compliment all members of the committee for their creativity. I, from my own bias, especially would like to congratulate the member for Hamilton West on a number of the initiatives he took which made the legislation much better than it had been before. Forgotten by many groups is something outside of this bill that, of all things, is going to give perhaps the best protection to teachers. That is the superannuation change that we made, allowing teachers to retire early. I thank the Treasurer (Mr. Nixon) for conceding to that change and for allowing this to be the best buffer we could have for those teachers.

Today, I sit down thinking that this bill is finished and passed finally, that we have done that which we as a party have been committed to for many years and that in the process we have been both honest and reputable in the way we have dealt with both sides on this issue; that we have produced the best possible legislation we can produce at this time in Ontario.

Mr. Davis: As the member for Scarborough Centre and as the Education critic for the Progressive Conservative Party, I am most honoured and privileged to participate as this historic event in the life of Ontario unfolds with the passage today of Bill 30, which concludes the dreams and aspirations of many citizens in Ontario for the education of their children.

It is indeed a strange twist of destiny that two years ago, on June 12, 1984, the then Premier of this province, the Honourable William Davis, announced his intention to introduce legislation to provide public funding to Roman Catholic secondary schools, and that this afternoon another Bill Davis, of the city of Scarborough, rises to speak on behalf of the Progressive Conservative Party as we consent to third and final reading of the legislation that will provide funding to the separate secondary schools. Today we join with the separate school community in the joy and celebration of achieving their dreams.

I would like to express my appreciation to the member for Scarborough West for the excellent leadership he provided to our committee, which comprised many rookies. He took us through a very difficult time with expertise, compassion and concern. I would also offer a special word of appreciation to the members of the standing committee on social development. In the interest of brevity I will not list them all, but they know who they are. They gave countless hours as they brought this bill together.

The amended legislation that is before the House is not an expression of the will or desire of one single political party in this province; neither does it represent the sole recommendation of any particular group or individual involved in the debate. This legislation came out of the souls of the people of Ontario who expressed their feelings on this controversial issue and offered concrete, insightful, concerned comments to the social development committee, in spite of their belief systems, ideology, fears, anxiety, hopes and dreams. Through a spirit of dialogue and consultation and a willingness to compromise, the committee was able to forge ahead and to put together legislation that may not necessarily express one's desire or point of view, but it is certainly framed within the guidelines of fairness and justice.

Always at the heart of the debate was our recognition that education is extremely important to the people of Ontario. It is seen as society's responsibility for future generations. As my colleague the member for York Centre (Mr. Cousens) so appropriately stated during the debates in July 1985, education is a foundation-stone for life.

I am proud of our contributions to this legislation. It was always the intent of former Premier William Davis to ensure the viability and preservation of public education in Ontario while at the same time providing for the extension of funding to Roman Catholic secondary schools. Through our amendments, my colleagues and I have remained true to those guiding principles. Because of our persistence and uncompromising demands, we accomplished a very significant achievement with our amendment, which will enshrine in legislation protection for the 182 single-school communities in Ontario.

The New Democratic Party would offer only hazy, vague protection for these communities by employing such phrases as "in the best interests of public education" or "the viability of secondary education," leaving a definition of such phrases up in the air. On the other hand, the only

concrete protection and guarantee the Liberals offered to concerned citizens of these communities was, in the words of the minister, to "trust me," but no written guarantee was offered. In fact, when a school was to be transferred to the separate school board, this government recommended, although the proposal was withdrawn, that the school closing policy required by the Education Act be suspended. Such action would most effectively silence the voices of parents, teachers, students and citizens of these communities if their schools were to be closed or transferred.

With our amendment, there is a guarantee that the public board of education will have jurisdiction in these 183 communities and will exercise the determination of the local school with respect to closing, leasing or transfer of these facilities.

6:10 p.m.

We are pleased to join with the NDP to provide for the creation of boards of management which will, we hope, contribute to a high quality in efficient implementation of this policy. We are disappointed that neither party would support our amendment which would have more specifically defined the membership of these boards of management. This government that boastfully states at every opportunity that it is a government without walls—no barriers, open for consultation and co-operation—along with its accomplices, the NDP, said no to involving parents, teachers and students as designated representatives of these committees. These individuals, who have a personal attachment and a deep interest, not just in the bricks and mortar of the school buildings but also in the delivery of quality education within their community, must now depend upon the invitation by school boards to participate on these management units.

It is my view that my party has substantially improved this legislation as it affects the rights, privileges and security of teachers and other staff whose livelihood will be touched by this legislation. At our insistence, and with the support of the Liberal members, we have built in a flexibility for the transfer of teachers to include not just the voluntary process but the option of secondment or the assignment of services, providing a wider choice for teachers and boards.

We were greatly disturbed when the Liberal Minister of Education introduced amendments that provided for the termination of certain designated teachers after two years. We were pleased, after much consultation, to support the NDP amendment which guarantees every teacher

who transfers a teaching position or retraining for new teaching responsibilities.

It was from our principles of justice and fairness that we believed the discriminatory hiring practice of the separate secondary schools should not apply to the secondary panel now they are to be publicly funded. One finds it difficult to rationalize the position of the NDP. Either one allows discrimination, or one does not. My party chose to support the latter position.

We also felt it was important as part of the vital healing and consensus-building process, which must continue, to allow the public and separate boards to merge where there was community support for the idea. However, that attempt to allow for consolidation was defeated. Past experience indicates that when traumatic changes are implemented in the life cycle of education without providing some process for reflection and the review of the new directions, weaknesses and irregularities appear in what many believe is a sound, flawless piece of legislation.

During the past year, numerous individuals have expressed deep concerns that the viability of public education and the catholicity of the separate schools could be in jeopardy because of this legislation and the amendments made thereto. I regret that the government and its allies, the NDP, were unable to support our amendment for a provincial review five years after the passage of Bill 30, which would allow us to affirm our direction or make the necessary adjustments.

I believe our amendment, which will not allow for the transfer of property from the public to the separate boards for the next five years except in cases where both parties agree, will be a positive contribution to ensure a smooth and agreeable transfer of facilities where necessary. My party heard and responded to the voice of the Catholic parents, students, teachers and clergy who asked that non-Catholic students who choose to attend their institution should be required to take courses in religious education. Unfortunately, the other parties desired a more permissive option in the matter of religious education. We introduced a compromise amendment that we believe places this sensitive area in the hands of the parents of those students who will make the determination of religious education for their child in the separate school.

I was deeply saddened when our amendment—which I believe was framed out of our conviction for fairness and justice and which would have enabled a separate school board to provide a teacher to instruct separate school students in

religious education, guidance, health and family life, and to provide for the liturgical services in those jurisdictions within the public system where a separate board determined not to provide secondary education—was defeated by the Liberals and the NDP.

It is my opinion that although this bill does not incorporate all our wishes and desires, it is a sound piece of legislation. To make this legislation work, it will require from all parties goodwill, creativity, courage, determination, sensitivity and co-operation. We shall be called upon to rise above our partisan views, our historical perspectives, our intolerances and, yes, our bitterness to make this legislation work for the betterment of students—the young men and women of our school system.

If we fail in our task, if we sabotage our responsibilities, then we not only fail our calling to education but also handicap the children of tomorrow in this province, who expect nothing less than to inherit a legacy of equal opportunity and quality education.

The education torch is lit. Together we must covenant to carry this new flame into tomorrow in the spirit of harmony and co-operation.

Mr. Allen: Many of us have paid tribute in many directions to people who have been a part of this process, and I am sure the Conservative critic would like to join me in paying tribute to his aides. I know that Graham Murray in particular was of immense assistance during a long, two-year period. I know the minister will be doing that when he gets up to speak and I just want to acknowledge that.

Mr. Rae: I want to say a couple of words. First, on behalf of my colleagues, I congratulate our critic and the chairman of the committee, who I think everyone agrees has done an absolutely outstanding job in bringing this to the conclusion we have reached.

It is crucial for us now to look to the future. We now have two publicly funded school systems that will be completed to the end of high school. We have attempted, by means of our amendments, to do this in a way that is as nondiscriminatory on the one hand, and as nonthreatening on the other hand, as possible.

The philosophy that has moved our party and that has moved all of us in our caucus is a view that, in order to achieve co-operation in the future, we have to assure the Catholic system that its existence is in no way threatened; that the catholicity of the system can withstand the kind of nondiscriminatory protections that we think are essential for the long-term future.

6:20 p.m.

I also suggest that as we move to a world of equal funding, we have an even greater obligation to all our children to ensure that there is co-operation, that there is dialogue, that there is, yes, a sharing of facilities where that is in the best interests of everyone in the community, that there is an ongoing institutional relationship and that the world of the two solitudes, which has been so much the world of education and the world of bringing up children for so long in this province, is now changed into one where we recognize, because of our maturity, the rights of everyone; where we recognize, in particular, the special historical and sociological reality of the Catholic community, but, at the same time, the importance of increasing the kind of co-operation and dialogue that takes place.

As I reflect on my own constituency, I cannot help making a comment I have made on other occasions. There are a great many kids in my riding who drop out in grade 10. If I could be irreverent for a moment, I suspect that as they transfer—and some of them do transfer to the Catholic system—perhaps they will drop out in grade 11.

All right, let us be tough about that. Let us recognize that Catholic teachers and those in the Ontario Secondary School Teachers' Federation, Catholic trustees and public trustees have to come together in a dialogue that recognizes the common challenge—to keep kids in school for as long as they want—and to be there to meet that challenge, the sense of the kids' own future, in a progressive way.

We can do that. That is what our party has been all about. The thrust of our work from now on will be to ensure that we have two publicly funded systems that are not only the best in Canada but the best in the world in terms of providing opportunities for all our children.

Mr. Grossman: I rise for a few short minutes on what is a historic day for every member of the assembly and, obviously, a day of many emotions for my party.

We did not anticipate, in June 1984, the complications, implications, stresses and emotions that the next two years had in store. I suspect few other members of the House did. I would say to all members of the assembly that an analysis of the events of the past 24 months—be it from the political side, the educational side, or, most importantly, the public policy side—would perhaps be a very fundamental lesson, and one of the most important lessons anyone could learn

about government, politics and society in Ontario in the 1980s.

As is too often the case, even legislators learn the hard way. No member of this House, regardless of the political complications, benefits, rewards and punishments, can fail to have been touched by the responses in his or her riding; the responses to the principle and procedure involved, and the responses of the boards of education, teachers' federations, parents and students.

It is a lesson in communication, dialogue, consultation, procedure and implementation, in bringing people together and in explaining and understanding what an important change is all about. Most important, it is a lesson in understanding the views, feelings and emotions of a society when one plans to make significant and important changes.

We cannot deny that this particular move, the announcement of then-Premier Davis on June 12, 1984, played a role in the alignment of this Legislature and the place in which my party finds itself today, although not as major a role as some might believe. However, it certainly played a role.

Notwithstanding that, today is a day when all three parties can reflect upon a major step forward. It has not been without difficulties. It has brought to the fore some important thoughts and sensitivities. Every member of this assembly ought now to reflect upon his or her role. I would suggest, almost without exception, that the members of this assembly—and, to be fair, those of the one immediately preceding—have played important and principled roles in how we got to today.

It has not been an easy time for any of the 125 people who sit here. However, each party had its leader: respectively, the Minister of Education, the member for Scarborough Centre in this party, and the Education critic of the NDP and chairman of the standing committee on social development. They led the members of this assembly through a difficult time. They did so not without conflict and disagreement, but in such a fashion that all three parties can sit here today, not with total comfort because we will never have that on legislation such as this, but with relative ease and comfort, secure in the knowledge that the issues now have been well understood, albeit a little late, and that the steps have been put in place to make this implementation a lot better than it would otherwise have been without the intense, fair, tough and thoughtful scrutiny given the

legislation by all members of all parties, particularly the members of the committee.

On this day, I want to share the thoughts and comments of the leader of the NDP when he reminds us all that if the past two years have been tough, the challenge now lies ahead. I and my colleagues urge all, as I know all members of this assembly do, now to turn the page on the controversy with regard to how we got here. Many people will never accept how we got here and many people will always have reservations, but we are here now. It is important that we turn the page today. Happily, I sense that this assembly is about to turn that page in a dignified, thoughtful way that reflects a consensus, not the full consensus we otherwise might have thought we might have today, but a genuine and relatively full consensus.

Based on that, I join the other party leaders in turning our attention to the reinforcement of the public school system, of the entrenchment of the things that have made that system strong and great. However, candidly, in my view it is not what it could be and not what it ought to be today. Equally, we must ensure that the new funding provided for the separate schools turns out to be constructive, turns out to produce another school stream at the secondary level that is as strong and successful as we must ensure the public school stream is. To those efforts, we dedicate ourselves. Controversies lie ahead. Challenges inevitably will present themselves. Controversies will be on the floor of this House.

In this debate, I am sure we have learned that the point of the exercise is that the dedication and thoughts of every member of this assembly must be pointed towards the improvement of the public school system and the enrichment of the separate school system. On this important and noteworthy day, I pledge our party's efforts to that task and I join the other parties in recognizing the contribution made by all members of this House. Let us not forget the contributions of the teachers' federation and the stresses put on everyone in the system, all of whom—from the boards to the federations to this assembly—responded in one way or another, and did so, regardless of their points of view, with an eye on the betterment of education for our young people.

In closing, I say to the minister that his year has not been without controversy. We have not been without criticism. We will have more in the future and we will not forget the past criticism, but we urge him to approach the next year as he has, on occasion, tried to do in the first year, with

a view to being open to reconsideration of those things that might improve both the public and separate school streams, and to be open to the suggestions that emanate from this side of the House—as he has, not always but from time to time, been over the past year.

Our party is anxious to join with the consensus that I expect this House will be sharing in a few short moments.

Mr. Speaker: Are there any comments or questions? Does any other member wish to participate in the debate?

Standing order 3(a) states that the Speaker shall adjourn the House at 6:30 p.m.

Hon. Mr. Nixon: We request unanimous consent to hear the minister before the question is put.

Agreed to.

6:30 p.m.

Hon. Mr. Conway: I am very pleased to join with my colleagues in this debate this afternoon. I particularly want to thank the Leader of the Opposition (Mr. Grossman) for his kind words and his very good advice, which I shall, to the very best of my ability, try to follow.

It has been a good debate today, as it has been for the past 50 weeks since the 33rd Legislative Assembly gathered in the spring of 1985. As honourable members on all sides have indicated, this is a debate which has been before the people of Ontario on so many other occasions before so many other governments and legislatures. As I indicated to my friend the member for Ottawa West, it is an important debate, a debate of truly historic importance and, yes, a debate which has addressed one of the most controversial issues in the public life of this province.

My friend the member for Hamilton West has, as he has done so eloquently on so many previous occasions, drawn our attention to the fact that the debate began almost 145 years ago. It has been commented upon by a number of observers both in this assembly and elsewhere. It has been a case the government has argued in this assembly and in the courts of this province, as has been mentioned. This question of separate schools is something fundamental to this province, as the very distinguished former Conservative Prime Minister of Canada, Charles Tupper, said. Reflecting back at some later point on the Confederation debates, he said the denominational school question was a precedent to the establishment of the Dominion of Canada in 1867.

It is not just a matter of what happened in Charlottetown, Quebec or London in those two and a half years prior to the historic agreement of 1867. Equally important is what has happened in the intervening 118 years, because successive governments of varying political stripes have, over those years, increased the support to the separate schools of this province.

I want to note the very significant contribution made 23 or 24 years ago by the late John P. Robarts, who was Premier of this province. He introduced the very important foundation tax plan which allowed the separate schools in that period to grow and to continue in existence in the face of some very significant adversity.

My colleague the Treasurer (Mr. Nixon) pointed out how, in the 1930s, a government of which his father was a Deputy Premier and in which my grandfather had the pleasure to serve, introduced a number of initiatives to help that school system through the crushing financial burdens of the Depression.

There has been a long history, a history which quite frankly has been at times quite controversial, I will be candid in admitting. It seems to me that the historical evolution is one which would have the reasonable observer conclude that for this province over many years and decades, separate schools as provided for in our Constitution have been an important part of public education. So it was, as the Leader of the Opposition noted in his remarks, that a new government came to office in May-June of 1985, faced with the responsibility and the opportunity to complete this last chapter in this long and important historical journey.

It is important for me this afternoon to indicate what the separate school policy was for the new government, the new administration which has been led so very well for the past number of months by my friend the member for London Centre (Mr. Peterson).

When we took office almost a year ago, the new administration committed itself to a separate school policy that had the following characteristics: We committed ourselves to an immediate introduction of a bill. Bill 30 was introduced by me seven or eight days after we were sworn in to office in late June 1985. In introducing the bill very quickly, we also committed ourselves to full legislative hearings so that the public would have an opportunity to have an input, as would members of the assembly.

I will recognize that it was not a perfect process. Some members in this debate this afternoon have pointed to that, but the govern-

ment of the day, our government, committed itself to an immediate introduction of the legislation and to have full public consultation both in terms of members of the assembly and the community beyond, recognizing that there was a rare unanimity among the three political parties about the principle, recognizing that important point.

Furthermore, the new government committed itself to an immediate reference of the bill to the Ontario Court of Appeal and we gave an undertaking that third reading of the bill would not be called until Ontario's highest court had passed judgement on the constitutional validity of the legislation.

Yes, in the summer of 1985 we also committed ourselves to interim funding because we felt that young people and their teachers, who had made a commitment almost a year before, who had acted in good faith—based on the three-party commitment that quickly developed after the announcement by the former member for Brampton, Mr. Davis—should not be jeopardized as they prepared to meet the school year of 1985.

Today, 50 weeks after we began as a new government along this course of our announced separate school policy, it is with some genuine pride that I stand here to say I believe we have fulfilled our commitment. We have fulfilled, as a new government, our commitment in this very important connection because of the diligence, determination and goodwill of the many people who have been involved in this debate over the past year.

In a very particular and personal way, I want to thank all who have participated, many of whom are gathered in this chamber this afternoon, not all on this main floor. I have come to know many of them quite well because, with the very best of intentions, they have opposed me and our government in this connection. I very much appreciate the vigour and the commitment they have brought to this important debate.

There are, in this connection, some people I want to thank in a particular way. Having been a member of this Legislature for 11 years, I cannot recall an enterprise legislatively that involved so many individuals. Particularly, I want to thank all members of this assembly to whom has fallen the responsibility and opportunity to complete this historic journey, members who today and for the last 340-odd days have been quite free and forward in providing the minister with their counsel and advice.

I hope that in some real way, as minister, on behalf of the government, I have responded by

incorporating as much of that advice as I could in the amending process of this bill. I know my friends, such as my good friend the member from Manotick, will say with vigour and commitment that I have fallen short. But I have tried to listen carefully to what members of this assembly have had to say about an initiative which is truly important.

I want to thank particularly my friends the members for Scarborough Centre and Hamilton West, who must surely receive some special legislative award of merit for the tremendous commitment and dedication they have brought to bear on their responsibilities. I cannot think of a time in my 11 years when opposition critics worked so well, for so long and often in very difficult circumstances. I want to say, as Education minister, how very sincerely I have appreciated their contribution because it has truly been enormous and most helpful.

The Attorney General and officials in his department have, through these many months, been very supportive. I want to thank my colleague the Attorney General, not only for his advice but for the very successful way in which he argued our case at the Ontario Court of Appeal.

I want to thank my colleagues in cabinet whose support has been unfailing and whose encouragement has been much appreciated. I want to thank, in a particular way, the Premier and leader of this government, who has never wavered in his support of this minister or of this initiative. For that I am truly grateful.

6:40 p.m.

I want to thank, as well, the many people in the Ministry of Education, too numerous to mention. They have been engrossed in this initiative since the coming to office of the new administration. I know of the very real dedication and commitment of the officials within the Ministry of Education, at least two of whom are underneath the gallery, to my predecessors in the Education portfolio since the announcement made by Mr. Davis in June 1984. I want to express in a very personal way my heartfelt thanks and appreciation. Their contribution to a neophyte minister has been very important indeed.

To the members of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, a commission struck by the predecessor administration, I say again a personal word of thanks for their tireless efforts over a very difficult period. To all those individuals referred to earlier in this afternoon's debate who

came forward—and I think there were more than 850 submissions to the standing committee—I want to thank them for the important role they have played in making this government and this assembly aware of their concerns. By and large, their criticism has been very constructive and it has helped in the development of a better public policy in this connection.

I want to thank in a particular way as well the standing committee on social development. It soldiered long and well. What can I say of the chairman of the social development committee, except that Pembroke has never produced a finer chairman of a parliamentary committee—and we produced a very distinguished Speaker of the House of Commons. I want to say very directly to the member for Scarborough West that his role as chairman in this regard has been exemplary and outstanding. I have never seen a chairmanship so ably discharged in my entire time here over the past 11 years. It was that wonderful balance between good humour and firm and fair judgement that allowed this bill and this process to move forward as well as it did. Bill 30, which we will conclude today, should bear the stamp of the very distinguished member for Scarborough West who, I say again, has played an extremely critical and exemplary role in all of this.

I say a word on this important and, for me, happy day to my parliamentary assistant, the very distinguished member for Middlesex (Mr. Reycraft), who, as was mentioned earlier, as a new member was sent forward with this responsibility. I have to say to the member for Middlesex and to all his constituents, who I am sure have watched with great admiration his progress and his contribution, that I would only that I might have performed as well in my first year as a member of the assembly.

Mr. Martel: He may be looking for another job in this place.

Hon. Mr. Conway: In an aside, the member for Sudbury East says, "He may be looking for another job in this place." There is not a job in this place that the member for Middlesex could not fulfil. I am quite confident he will have a long and distinguished career in this Legislature and in the government of this province. I want to thank him again in a very public way for his helpful support and considerable contribution over the past year and some months.

As I conclude my remarks this afternoon, I think it is important as well for me to note that as we complete this important chapter in the history of Ontario education I look with members of the assembly for a brief moment to the future and the

important promises we must keep. As the leader of the New Democratic Party and the Leader of the Opposition have properly noted, we must look to the future with optimism and, from my point of view, some vigilance.

We must ensure that as we go forward our public school system is not jeopardized and our separate school system is not penalized. We must look to the future with a keen and priority interest for these some 550,000 young people who are currently in our secondary schools, and the almost two million young people who are in elementary and secondary education in Ontario today. First and foremost, we must keep the interests of our young people, in so far as their education is concerned, as our top priority. In that connection, we must recognize that we must have a highly motivated teaching profession that feels it is appreciated and making a contribution, as I believe it is.

We must ensure as well that we make every effort to bring about the co-operation and the co-ordination between our two school systems—which will now be fully publicly funded—in areas of program, facility and special interests, so that the young people of Ontario in publicly funded education will enjoy the best education it is possible to have.

I will conclude this debate by indicating that I look forward to the coming months and years with much excitement and optimism. I do so because of the nature of the province in which we all live. John A. Macdonald once said that we can afford to be generous because we are strong, and he was absolutely right. Fundamental to the greatness of our province is the generosity of greatness that is so basic to the people of this great land.

It is with a great sense of honour and history that I now conclude this debate. I invite all honourable members to join with me in at last ending this long and important chapter and journey in the history of this province and to join with the young people in the schools of this province now in looking to the future with optimism, with excitement and with opportunity.

Mr. Speaker: Mr. Conway has moved third reading of Bill 30.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The House adjourned at 6:48 p.m.

APPENDIX

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

OCCUPATIONAL HEALTH
AND SAFETY

100. Mr. Martel: Will the Minister of Labour table the following information regarding the questionnaire on joint health and safety committees prepared by the Advisory Council on Occupational Health and Safety:

1. Who received this questionnaire?
2. Did the questionnaire go directly to union members of the health and safety committee in various plants?
3. How many organized plants received this questionnaire?
4. How many unorganized plants received this questionnaire?
5. Who in the unorganized plants received the questionnaire? Was it received by management, individual workers or worker representatives?
6. If a worker representative was hand-picked by management, how can a worker answer question 8:02 freely?
7. When will the results of the questionnaire be complete?
8. Will copies of the results be made available to members? [Tabled November 26, 1985]

Hon. Mr. Wrye: 1. For each joint health and safety committee randomly selected for the survey within a sampling plan stratified according to type of work place, size of work place and whether or not the work force is unionized, separate questionnaires were sent to one worker committee member and one management committee member chosen by the advisory council's consultant.

Management in each work place was required, in the initial screening stage, to provide a list of the names of chairmen or co-chairmen and all committee members and length of service on the committee. From this list, council's consultant selected as worker and management respondents those who chaired the committee or had longest membership on it.

2. The questionnaire was mailed directly to the committee worker member selected by the council's consultant. Whether a union member received the questionnaire would depend on the extent to which representatives on a joint health and safety committee in a given work place were union members. Efforts were made to ensure that worker committee members received the ques-

tionnaires mailed to them. Such measures included three mailings and follow-up telephone calls.

3. Of the 3,050 work places randomly selected for the study, approximately 60 per cent were organized.

4. Approximately 40 per cent were unorganized work places.

5. In unorganized work places, as in organized work places, separate questionnaires were mailed to one worker member and one management member selected from each joint health and safety committee by the council's consultant.

6. Clarification is needed, as there is no question 8:02 in the questionnaire.

7. The consultant's report on the results of the questionnaire survey is now completed, and the advisory council is currently undertaking its own review of the survey findings and the consultant's report.

8. The advisory council is publishing the consultant's report on the results of the survey in its upcoming eighth annual report, which will be available and provided to members.

EXPO 86 PAVILION

207. Mr. Philip: 1. Would the Chairman of Management Board of Cabinet inform the House of the total cost, such as construction, fixtures and all other costs, including studies which may have been undertaken, to develop the restaurant in the Ontario pavilion at Expo 86? How many other restaurants of similar calibre are on the Expo Site? What is the projected expenditure per visitor per day at Expo 86? Would the minister table any feasibility studies done concerning the restaurant? Would the minister table what the expected operating cost will be? Would the minister inform the House of the total projected revenue that is expected to be earned by the restaurant? [Tabled January 24, 1986]

Hon. Mr. Fulton: 1. The estimated cost of all fixtures and furnishings, plus the estimated square metre construction cost of the restaurant, is \$876,000.

2. The cost is based on providing a fine-quality, full-service, 200-seat restaurant in a manner consistent with the level of presentation of such a restaurant in a major Ontario urban centre. Comparison can be made with such Toronto restaurants as Pronto's, Fenton's, the

Bellair Cafe, etc. The restaurant will be constructed and operated to provide facilities and services such as are consistent with the desire of the pavilion management for a level of quality in keeping with the balance of the pavilion and Ontario's participation as a whole.

3. Only 14 other full-service restaurants will be operated on the entire Expo site. The Expo Corp. has expressed concern that this matter is insufficient to meet the expected requirement.

4. Based on figures provided by the management of the Expo Corp., it is projected that, in addition to the entrance fee, each visitor to the Expo site will spend \$7.30 for food and \$7 for merchandise per day.

5. While the pavilion project team has not undertaken any feasibility studies, the restaurant manager, Franco Prevedello, a noted food expert and successful Toronto restaurateur, has drawn from his more than 20 years in the food service business, in addition to several trips to Vancouver to study and assess the food service potential at the Ontario pavilion during the period of Expo 86, May 2 to October 13, 1986.

6. The operating cost of the restaurant is based on figures currently available for food and labour and will average 65 per cent of gross revenues. Operating costs include labour costs, food, supplies, beverages and liquors. It is anticipated that the restaurant will serve 165,000 meals.

7. The projected gross revenue for the Ontario pavilion restaurant is estimated at \$3 million.

APPOINTMENT IN PUBLIC SECTOR

214. Mr. Pollock: Will the Premier provide to the House all the background material of the appointment of Doris Anderson, a defeated federal Liberal candidate, as one of two nonlawyer members of the Ontario Judicial Council? Specifically, how many applicants were considered for this position? What is the remuneration? For what length of time is the appointment? [Tabled January 29, 1986]

Hon. Mr. Scott: Cabinet considered several recommendations for appointment to the position of member of the Ontario Judicial Council.

Recommendations were made informally by members of cabinet during the meeting. Mrs. Anderson was chosen from among those whom it was thought would make a strong contribution to the judicial council.

There is no remuneration. The appointment is for three years.

Doris Anderson was born and raised in

Calgary, Alberta. After putting herself through the University of Alberta, she came to Toronto to try her hand at journalism. She took a number of jobs—copy editing, radio script-writing, advertising—and she also spent a year in Europe writing short fiction. On her return, she took a job at *Chatelaine* magazine and within seven years she was editor, a position she held for 20 years. During this time, her hard-hitting editorial direction established *Chatelaine* as a leading voice for Canadian women.

From 1979 to 1981, she was president of the Canadian Advisory Council on the Status of Women in Ottawa, and from 1982 to 1984, she was president of the National Action Committee on the Status of Women. She has served on many boards and commissions including the National Conference on Confederation, the Canadian Institute on Public Affairs, the Canadian Film Development Corp., the board of York University, the board of Macmillan Publishing Co., the board of Maclean-Hunter Publishing Co. and the board of the Children's Aid Society of Metropolitan Toronto. She is currently a trustee of the Institute on Public Policy Planning, on the board of the North-South Institute, as well as the Canadian Civil Liberties Association, and the executive of the National Action Committee on the Status of Women.

Author of two novels, *Rough Layout* and *Two Women*, she is currently working on a nonfiction book on working women. She writes a weekly column for the *Toronto Star*.

She is an officer of the Order of Canada, a member of the News Hall of Fame, a recipient of the 1983 Y Awards for Women of Distinction, and the Constance E. Hamilton Award for the city of Toronto.

STRATFORD FESTIVAL

216. Mr. Leluk: Would the Premier identify all persons who accompanied him to the recent opening of the Stratford Festival tour in Hollywood, California? Would he itemize all expenses incurred for travel; itemize the cost of food, entertainment, limousines, miscellaneous expenses, and identify the budgetary source for expenses? Would the Premier identify all other ministers in attendance, their staff, provincial officials, spouses and others who attended, with their itemized expenses?

What was the total cost of the dinner at Le St. Germain restaurant? Please provide a list of the 96 guests who attended. What benefits were derived by Ontario by this promotion? How

many US film and television productions have come to Ontario as a result? If there were benefits, would the Premier identify the firms

and the extent of any such benefits. [Tabled January 29, 1986]

Hon. Mr. Peterson:

| Attendees | Air fare ³ | Accomm ³ | Food | Other | Limousine |
|----------------------------|-----------------------|---------------------|------|-------|-----------------------|
| Premier | \$942 | \$719 | \$3 | | |
| Mrs. Peterson ¹ | 942 | | | | |
| Vince Borg | 942 | 330 | | 3 | |
| Peter Balog ² | 942 | 330 | \$35 | | |
| | | | | | \$451.91 ⁴ |

1. Airfare costs recovered from Mrs. Peterson.
2. Peter Balog's expenses were recovered through Ministry of the Solicitor General.
3. All airfare and accommodation expenses were charged to the Premier's office.
4. Limousine costs were charged to Ministry of Industry, Trade and Technology.

There were no other ministers' staff in attendance.

The dinner at Le St. Germain restaurant was paid for by the Stratford Festival tour.

Issue: What benefits were derived by Ontario from this promotion?

Response: The Stratford Festival is one of Ontario's most significant cultural resources, directly employing hundreds of workers and attracting thousands of visitors to the Stratford area. A large portion of those visitors come from the United States, and the American tour represented a very important effort to encourage more Americans to visit our province and the festival.

The Premier's presence at the opening performance indicated the Government of Ontario's support of the festival and allowed him to promote the general interests of the people of this province.

Issue: The number of US film and television productions that have come to Ontario as a result.

Response: The Premier was able to speak directly to many of the most important decision-makers in the American film industry, encouraging them to take advantage of Ontario's well-developed film-making resources. However, it must be recognized that the Ontario Film Development Corp. has been established recently.

It is not yet possible to measure the results of the Premier's visit in terms of specific projects generated.

Issue: The names of the firms that have benefited and to what extent.

Response: As indicated, the Ontario Film Development Corp. has just been established.

The planning and development of major film projects involves considerable time and extensive consultation and examination of all the available resources. Furthermore, marketing Ontario as a film location requires regular and repeated marketing initiatives.

Once the corporation's programs and activities are established, it will be possible to measure the benefits in terms of the overall health and productivity of the film and television industry in Ontario.

WETLANDS POLICY

239. Mr. Dean: Would the Minister of Revenue provide information regarding the success of the tax rebate provisions as they have been applied to the managed forest tax reduction program? Why has similar tax relief not been given to owners of wetlands and similar properties which have ecological significance in order that these properties be preserved? How many owners of wetlands and similar properties of ecological significance are in Ontario? What is the government doing to help preserve these lands? [Tabled February 6, 1986]

Hon. Mr. Nixon: The Ministry of Revenue is unable to comment on the performance of the managed forest tax reduction program since it is jointly administered by the Ministry of Municipal Affairs and the Ministry of Natural Resources.

The government is fully aware of the ecological significance of forest lands, wetlands and other natural areas. In order to appraise the treatment of these natural areas and to formulate policy options for their preservation, the Honour-

able Robert F. Nixon, Minister of Revenue, has formed an interministerial committee on the assessment and taxation of forest lands and wetlands. This committee will be represented by the ministries of Revenue, Agriculture and Food, Municipal Affairs, Natural Resources, and Treasury and Economics.

A comprehensive inventory of wetlands of both provincial and local significance is currently being compiled by the Ministry of Natural Resources.

GOVERNMENT ACCOUNTABILITY

240. Mr. Guindon: Would the Chairman of Management Board of Cabinet advise the House what new measures have been instituted to enhance the accountability of the minister and the deputy minister as a result of the Price Waterhouse report entitled *A Study of Management and Accountability in the Government of Ontario*? How many and which of the recommendations have been implemented? What specific steps have been taken to ensure that the Manual of Administration is being adhered to? [Tabled February 6, 1986]

Hon. Ms. Caplan: Commissioned in March 1984, and completed in December of the same year, the study prefaced its recommendations with an acknowledgement of the Ontario public service's reputation for fine management and accountability systems. Notwithstanding this reputation, the study outlined a number of potential improvements. These improvements can be grouped under three main initiatives: (1) increase accountability; (2) simplify the Ontario Manual of Administration, and (3) improve the working climate within the Ontario public service.

The following progress has been made.

1. Increased accountability:

Clearer expectations: In order to clarify government expectations against which senior managers can be held accountable, several initiatives have been taken. For the first time, clear messages of strategic priorities for the government as a whole have been given and strategic plans have been developed by each ministry. All ministries are developing implementation of personal performance appraisal systems which take into account both program delivery and management of resources.

Deputy minister's annual review: In 1983, Management Board instituted the "deputy minister's 100 minutes," which required each deputy

minister to report to the board progress in establishing and using astute management processes within the ministry. Most reviews dealt with program issues rather than broader management issues.

The study recommended that the "100 minutes" be revised and expanded to include a broader range of topics. The deputy minister's annual review now includes:

Key results areas—major achievements and difficulties experienced by the ministry; feedback on public response to programs of the ministry.

Human resource management—human resource planning, and staff development; innovation in the work place and productivity.

Program management: results achieved for the funds expended; explanation of variances; management information system.

Productivity improvement: methods for measuring productivity; examples of productivity improvement; planned productivity improvements.

General administrative management: compliance with the manual; administrative processes.

Information systems management.

Internal audit: compliance with administrative policy, improvements to ministry audit program.

The reviews are designed to offer useful self-analysis by ministry management, to acknowledge organizational strengths and weaknesses and to plan, with Management Board approval, a course of action to eliminate weaknesses where they exist. Therefore, although the initial round of reviews will follow the above outline, subsequent reviews will be tailored to the needs of each ministry.

Reviews under the new format will start this spring.

Audit improvement: The Civil Service Commission has completed two major orientation sessions for the internal audit community. The sessions, which were developed with the assistance of Management Board secretariat, are part of a board education program which includes EDP and value-for-money auditing. The program will also train managers and auditors in the principles of audit and in the development of an effective audit program.

To further enhance management's understanding and appreciation of audit, Management Board secretariat, with the assistance of ministry audit directors, has been working with ministries to encourage the secondment of managers into their ministries' audit branches, to expand audit

services within ministries, and to increase audit reviews of agencies.

Management Board is also providing the Ontario public service internal auditor's council with research funds to be used in the education of its members.

2. Simplify the rules:

Clarification: The report recommends clarification and simplification of administrative directives within the Ontario Manual of Administration. The new directives manual, to be released this spring, will clearly assign accountability for administrative decisions to the deputy minister. The deputy minister will consequently be held accountable for the decisions made within the authority delegated by Management Board.

New directives manual: Four revisions are now complete, namely directives governing the hiring of consultants, acquisition of advertising services, organization, and major information technology projects. Work is proceeding on revision of seven other directives: procurement, visual identity, employee expenses, real property, audit, accountability and agencies.

Revised management directives will clearly delineate mandatory requirements and be based upon a code of values and sound principles of good management.

An education package will support the introduction and use of the new directives and, where necessary, guidelines will outline good practices in applying individual directives.

The development of each revised directive, as well as educational and communications programs, has been guided by an implementation team of senior executives.

In addition, the Premier has met with all deputy ministers to reinforce their responsibility to apply the directives.

The combination of education, clear communication, improvements in the audit function, coupled with the deputy minister's annual review, should ensure that Management Board directives are known, understood and adhered to.

A new manual, complete with a number of revised directives, will be distributed to ministry managers in the first quarter of the 1986-87 fiscal year.

Agencies: Management Board has enhanced the mechanisms for the control and accountability of all agencies in the new directives. The majority of agencies are assigned to schedule I, a status which requires compliance with all directives of the Ontario Manual of Administration. In addition, Management Board is requiring other

agencies to adhere to the basic administrative and management principles of government directives—in some cases, advertising actually adhering to procedures—and is encouraging improved ministry-agency communication.

3. Improve working climate: The new human resources secretariat will take the lead in helping ministries address the major human resource initiatives required.

In addition, the executive education program has been amended to reflect the study's recommendations. In particular, executive training will be, for the most part, residential, thus affording senior executives with the opportunity to exchange ideas and gain insight into the responsibilities of their colleagues. This contact will further the use of informal networks which, as outlined in the management and accountability study, are essential to the development and performance of senior executives.

In his 1985 report to the Legislature, the Provincial Auditor observed that implementation of recommendations contained in *A Study of Management and Accountability in the Ontario Government* is proceeding well.

TRADE SHOWS

242. Mr. Villeneuve: Would the Minister of Government Services inform the House how many trade shows, exhibits and seminars with Ontario businesses were undertaken by the Ministry of Government Services in 1985? How many are planned for 1986? Please provide figures as to how many Ontario firms sold goods to the government and their value in 1984-85 and 1985-86. [Tabled February 6, 1986]

Hon. Mrs. Caplan: The Ministry of Government Services participates upon request in trade shows, exhibits and seminars with Ontario businesses that are organized by the Ministry of Industry, Trade and Technology and other public and private organizations.

In 1985 the ministry participated in six events. In 1986 the ministry will respond to all such requests where there is an identifiable benefit to Ontario businesses.

The Ministry of Government Services is not a central purchasing agency for all government ministries. Therefore, only the information for this ministry can be provided. The data concerning the number of firms and the value of purchases in 1984-85 were published in volume 3 of the Public Accounts. Data for 1985-86 will be compiled and published following the conclusion of the current fiscal year.

LEGISLATIVE BUILDING

243. Mr. Villeneuve: Would the Minister of Government Services inform the House if she has prepared any estimate for the cost of needed restoration to the Legislative Building? What work has been identified as essential and what is the estimated cost of such work? How much has been classified as discretionary and what are those estimated costs? What costs are associated specifically to the introduction of television in the Legislature? [Tabled February 6, 1986]

Hon. Ms. Caplan: The physical condition and working environment of the Legislative Building is of great concern to this government. During the past nine months, we have begun the development of long-term plans for the repair and restoration of this building in consultation with the Speaker, the Board of Internal Economy and the Ministry of Citizenship and Culture.

We are in the process of retaining the services of a consultant to assist with the development of these plans and the associated cost estimates.

The estimated costs of introducing Electronic Hansard in the Legislative Building are \$1.5 million, including necessary adjustments to the seating arrangements.

GOVERNMENT LAND HOLDINGS

244. Mr. Villeneuve: Would the Minister of Government Services inform the House of the parcels of land the minister has identified for potential disposal? What are the sizes and locations of these holdings? What does the ministry estimate to be the value of each of these holdings? [Tabled February 6, 1986]

Hon. Ms. Caplan: As part of an overall review of the province's real estate portfolio, cabinet has recently approved a new land management and disposal strategy which will maximize the return on the sale of surplus property. These changes, which are business- and market-oriented, spring from our philosophy of co-operation with and involvement of local municipalities and the appropriate segments of the private sector.

The new strategy, which applies throughout the province, involves: (1) Co-ordinated management of all assets and accommodation planning to ensure efficient administration; (2) a central inventory to catalogue the government's land holdings; (3) a variety of disposal methods for surplus properties including the use of real estate brokers (both exclusive and the multiple listing service), proposal calls, direct sale to specific individuals and agencies, as well as the tradi-

tional public tender and public auction; and (4) flexible and innovative financing techniques including vendor take-back mortgages and deferred payments, in addition to the previous all-cash transactions. This will open up the market to more prospective purchasers.

The Ministry of Government Services is currently reviewing the land inventory to determine which properties are surplus to the government's requirements. This information will be made public shortly.

245. Mr. Villeneuve: Would the Minister of Government Services provide the following information regarding a series of surveys the ministry undertook in 1984 in municipalities across the province to document the properties owned and leased by the government?

1. Would the minister outline the changes she had initiated as a result of the studies?

2. Would the minister table these surveys? [Tabled February 6, 1986]

Hon. Ms. Caplan: In 1984, local accommodation reviews were carried out in Brampton, Hamilton, London and Peterborough. These studies were structured to provide background information only, in order to identify opportunities for the government to enhance the utilization and/or the value of its real property holdings within a specific geographical area. The studies themselves do not make recommendations, but rather provide a wider database for ongoing decision-making.

Insufficient copies of these reports were printed to permit tabling. However, a reference copy is available for examination, upon application, in the planning branch of the ministry.

FOOD LAND PRESERVATION POLICY

246. Mr. Cousens: Would the Minister of Agriculture and Food provide the names of all parties that were not exemptions to the Ontario Food Land Guidelines through official plan amendments that were given from July 1, 1985, to December 31, 1985, and the reasons for their exclusion from these exemptions? [Tabled February 6, 1986]

Hon. Mr. Riddell: It is unclear what is meant by "exemptions."

When official plan amendments are circulated to my ministry for comment, staff provide comments based on the amendments' compliance with the policies of the Food Land Guidelines.

There are no exemptions to the Food Land Guidelines per se.

MINISTER'S TRIP

247. Mr. Bennett: Would the Minister of Industry, Trade and Technology please provide the following information concerning the minister's trip to California:

1. In what capacity did the minister undertake this trip?
2. What was the purpose of the trip?
3. When were the final preparations for the trip completed?
4. Would the ministry provide a copy of the agenda followed by the minister?
5. Please provide the names and positions of the people who accompanied the minister.
6. What was the cost of food, travel, entertainment and local transportation?
7. Does the minister intend to report to the House as to the success of this trip? [Tabled February 6, 1986]

Hon. Mr. O'Neil: 1. The minister made the trip to California—Los Angeles and San Francisco—representing Ontario in general and the Ministry of Industry, Trade and Technology in particular.

2. The purpose of the trip was: (a) to meet with and speak to Canada/California Chamber of Commerce; (b) to undertake confidential discussions with different company officials about their plans to locate manufacturing facilities in Ontario; (c) to meet with local Canadian federal government officials; (d) to meet with ministry staff representing Ontario in California.

3. The final preparations for the trip were completed about September 17, 1985.

4. Copy of the agenda followed by the minister is attached.

5. Minister's party consisted of: Richard Fleming, media relations officer, MITT; Ms. Pam Postian, special assistant to the minister; Mrs. Donna O'Neil, wife of minister.

6. Cost of food, travel, entertainment and local transportation is as follows: food, US\$540.46; air fare, C\$3,824.53—Mrs. O'Neil arranged for and paid her own airfare; entertainment, nil; *local transportation, US\$2,051.59.

7. The success of this trip will be proved by the establishment and expansion of certain branch plants in Ontario by the California companies. Because of the confidential nature of these companies' plans, their names cannot be made public at this time. Therefore, a report to the House will not be made at this time.

*This amount includes a trip to San Francisco to visit various industrial areas. Please see attached itinerary.

Itinerary of minister's visit to California
September 24

Los Angeles office: discussions with staff; meeting with company considering plant location in Ontario.

Luncheon meeting—Canada/California Chamber of Commerce at Los Angeles Hilton Hotel, downtown.

Interviews with press—Los Angeles Times; Daily Commerce, John O'Malley; Daily Commercial News, G. Brower.

Continue discussions of business plan in Los Angeles office.

September 25

Los Angeles to San Francisco—10:30 a.m.

Lunch with officials of company considering expansion in Ontario.

Return to San Francisco office.

Interview with press—San Francisco Chronicle; Corporate Times.

Reception for local San Francisco businessmen—5 p.m.

Dinner with consul general, Jim McCardle.

September 26

San Francisco to Los Angeles—11 a.m.

Meeting with Los Angeles businessmen.

Reception at consul general's residence. Dinner with consul general, Joan Winsor and senior trade commissioner, David Taylor.

September 27

Visit company considering expansion in Ontario.

TILE DRAINAGE

248. Mr. Stevenson: Would the Minister of Agriculture and Food inform the House how much money has been paid out to farmers during 1985-86 for assistance for drainage in Ontario? How many municipalities allocate less than the 60 per cent maximum that currently exists? What are the names of these municipalities? [Tabled February 6, 1986]

Hon. Mr. Riddell: To date for the fiscal year 1985-86, we have lent \$15,131,000 to farmers under the Tile Drainage Act.

Nine municipalities allocate at less than the 60 per cent maximum which currently exists. They are as follows:

| Municipality | Loan amount | Average percentage of total cost |
|----------------------|-------------|----------------------------------|
| Camden | \$ 93,400 | 42 |
| Collingwood | 26,000 | 50 |
| East Williams | 132,700 | 44 |
| East Zorra-Tavistock | 53,900 | 47 |
| Harwich | 288,700 | 48 |
| Mulmur | 6,700 | 41 |
| Norwich | 52,500 | 48 |
| Petrolia | 27,800 | 53 |
| Sidney | 10,000 | 35 |

ONTARIO FAMILY FARM INTEREST RATE REDUCTION PROGRAM

249. Mr. Stevenson: Would the Minister of Agriculture and Food inform the House, as of January 15, 1986, how many applications for assistance under the Ontario family farm interest rate reduction program had been received, how many payments had been made, the total amount of those payments, the number of applications approved for payment and the amount of those payments, and how many applications had been returned for more information?

As of January 15, 1986, what percentage of the applications were from farmers in each of the following commodity groups: (a) dairy, (b) feather industries, (c) fruit and vegetables, (d) cash crops, (e) tobacco, (f) beef, (g) pork, and (h) other? [Tabled February 6, 1986]

Hon. Mr. Riddell: Figures shown in A and B reflect applications actually loaded into the computer system as of January 15, 1986.

As January 15, 1986, was the original deadline, applications were coming in at a rate of 200 to 300 per day with 1,200 applications received on January 15, 1986, alone. As of February 10, 1986, there were about 9,000 applications received, i.e., about twice the number actually in the system as of January 15, 1986.

A. As of January 15, 1986, there were:

Applications—4,544;

Approvals—2,354;

Paid out \$12.7 million for—2,256.

Applications being held for additional information as of January 15, 1986, were 1,256.

It should be noted that the proportion of applications requiring more information has declined over time as those submitting the applications seem to have become more aware of the requirements.

B. Percentage by commodity as of January 15, 1986, within the system:

| Type | Received | Percentage |
|----------------------------|----------|------------|
| Dairy | 1,410 | 31.03 |
| Cash crops (grains) | 955 | 21.02 |
| Mixed: livestock and crops | 677 | 14.90 |
| Swine | 608 | 13.37 |
| Beef: cow-calf | 174 | 3.83 |
| Tobacco | 160 | 3.52 |
| Mixed livestock | 148 | 3.26 |
| Horticultural | 102 | 2.24 |
| Poultry | 81 | 1.78 |
| Others | 229 | 5.05 |
| | 4,544 | 100.00 |

COCKTAIL PARTY

252. Mr. Gordon: Would the Premier table the names of provincial cabinet ministers and all Liberal back-benchers and their respective staff who were in Windsor for a two-hour cocktail party in support of the area Liberal fund-raising

efforts? Which ministers, parliamentary assistants and back-benchers and their staff were at the cocktail party but were not on government business in Windsor? What were the travel arrangements, and who paid for their transportation? [Tabled February 6, 1986]

Hon. Mr. Peterson: The following ministers, parliamentary assistants and members were in attendance:

The Attorney General (Mr. Scott) toured courthouse facilities in Windsor. His return trip to Toronto, as well as that of Marilyn Hood, the staff person travelling with him, was paid by the riding associations hosting the event.

The Minister of Consumer and Commercial Relations (Mr. Kwinter) and Ken Rosenberg, his executive assistant, had travel both ways paid for by the riding associations hosting the event.

The Minister of Labour (Mr. Wrye) was in Windsor on constituency business and met with the mayor of Windsor and recently elected aldermen. His staff travelled by car and their expenses were charged to the party.

The member for Windsor-Walkerville (Mr. Newman) was in the area on constituency business.

POSTAGE RATE

253. Mr. Bennett: Would the Premier table in the House an explanation of how he obtained a special postage rate for the mailing of his Christmas cards and what volume is required, in order that the rest of the members may enjoy the same savings? [Tabled February 6, 1986]

Hon. Mr. Peterson: No special rate was obtained for the mailing of the 1985 Christmas cards. The bulk-rate mailing that was used is available to any customer mailing 5,000 or more pieces of mail. The mailing costs were paid for by the Ontario Liberal Party.

PRICE OF BOOK

255. Mr. Barlow: Would the Minister of Industry, Trade and Technology advise the House why the ministry's book entitled *Starting a Small Business in Ontario* is currently being sold in the Ontario Government Bookstore for \$3 when it was established during the ministry's estimates that the booklet cost \$1.25 to produce? Is it the usual practice of this government to make a 140 per cent profit at the expense of the taxpayers who have already funded the book's publication? If so, what are these profits used for? If this is not so, is the government prepared to make retribution to the taxpayers that have been abused?

Would the Minister also advise the House why a consultant at the Willowdale branch of the Ontario Development Corp. told a citizen that the ministry's booklet could be obtained at the Ontario Government Bookstore "for about 75

cents"? Since this is obviously incorrect, would the minister assure the House that all staff are adequately informed about this publication to provide the public with the correct information? [Tabled April 23, 1986]

Hon. Mr. O'Neil: *Starting a Small Business in Ontario*, first published in 1977, has an annual distribution by this ministry of 100,000 copies at present, free of charge, on a single-request basis, to entrepreneurs.

The Ministry of Government Services, through its own policy, distributes this publication and many other government publications at the Ontario Government Bookstore and through mail orders for cost plus normal retail markup to cover overhead, as established in the Manual of Administration. The Ministry of Government Services purchases the publication from the printer on a separate agreement at a cost that ranges from about \$1.40 to \$1.90 per copy depending on the size of the print run. Two thirds of the distribution is by mail order, and handling and mailing costs make up the difference. Prices have to be the same across the province.

It should also be noted that the publications services section of MGS provides a 20 per cent discount on orders to deposit trust account holders, such as schools and private sector firms using the book in nonentrepreneurial activity. This leaves the Ministry of Industry, Trade and Technology free to deal directly with entrepreneurs and provide this free service to such a large audience.

The book is available from all Ministry of Industry, Trade and Technology offices, through the small business hotline and the Queen's Park small business office for the asking, at no charge. The incident at Willowdale is unfortunate and clearly a misunderstanding. Procedures have been reviewed with all staff.

SOCIAL ASSISTANCE

258. Mr. Cousens: Would the Minister of Community and Social Services table information regarding the ministry's review of Ontario's social welfare/family benefits system: specifically, the dates of the review, a list of individuals involved in the review, their respective positions and salaries, whether they have been hired solely for this review or have been seconded from a civil service position? How much will the review cost and how many man-hours will be spent on the review? Will public input be solicited for this review? If so, how and where? [Tabled April 24, 1986]

Hon. Mr. Sweeney: The speech from the throne of April 22, 1986, announced a "thorough review of Ontario's social assistance system to determine ways to more effectively combat poverty."

Provisions will be made for public input to review. Matters such as specific dates, individuals involved, person-hours required, etc., are currently being determined. The Minister of Community and Social Services will be making a public statement on this matter in the near future.

259. Mr. Cousens: Would the Minister of Community and Social Services provide the criteria for determining when public funds should be used to assist those in need? [Tabled April 24, 1986]

Hon. Mr. Sweeney: The question of "the criteria for determining when public funds should be used to assist those in need" is essentially one of eligibility criteria for social assistance. The eligibility criteria are specified in full in the governing legislation. Accordingly, the balance of this response is a general overview of these criteria.

In many respects, the eligibility criteria for social assistance are determined by the design of other income-security programs. This is due to the safety-net role of social assistance in the overall income-security system. Other programs, such as the Canada pension plan, unemployment insurance, workers' compensation, etc., each have their own eligibility criteria and benefit levels. A client who does not qualify for these programs may be eligible for social assistance.

The eligibility criteria for social assistance also include financial tests of need. In other words, an eligible client must have assessed needs which exceed the client's resources. Resources are generally defined to include income actually received, payments to which a client may be entitled, and liquid assets. Needs are set at a level designed to recognize the costs of basic necessities such as food, clothing and shelter. Some needs are determined by the characteristics of a client's situation, such as family size, number and ages of children, rent costs, etc. Other needs can be determined on an individual basis, such as special diets.

Eligibility criteria also include the employability of the person in need. Persons who are elderly, suffering from ill health, disabled, or single parents, are not expected to be seeking employment as a condition of eligibility. Persons who do not meet these criteria are generally

expected to pursue employment as a condition of eligibility.

FOOD DISTRIBUTION

260. Mr. Cousens: Would the Minister of Community and Social Services provide the amount designated to be spent on the audit of the food banks; how many man-hours are to be spent on the audit; which individuals are conducting the audit, their respective positions, salaries; any outside agencies involved in the audit by the ministry; planned dates of the audit? [Tabled April 24, 1986]

Hon. Mr. Sweeney: The Ministry of Community and Social Services is conducting a review of the emergency shelter and assistance program, ESAP, which was implemented in the fall of 1982 to help municipalities and churches to develop additional emergency hostel beds, drop-in centres, food programs and other emergency assistance for persons and families most severely affected by the economic recession. This is not an audit in a financial sense but rather a program review to determine its future direction.

Ministry staff have been working in close co-operation with an ESAP advisory committee composed of representatives of the municipality and the 29 church organizations involved in Metropolitan Toronto, where the main thrust of the program has occurred. A plan was developed by the committee to collect data to determine what services are being provided by the churches and who is receiving assistance.

A number of ministry staff have met regularly in Toronto with the advisory committee and with staff of Metropolitan Toronto Department of Community Services to plan and implement this review but no record of man-hours has been kept. One staff person in Ottawa has also been involved in obtaining data from the church organizations there. Participation in this review process is only a small part of the total responsibilities of these staff members.

The following staff have participated: Rowland Dunning, Toronto area manager; Joel Shapiro, Toronto assistant area manager; Italo Desiri, program supervisor, Toronto area office; Seonaid Brailey, project officer, Toronto area office; Doris Guyatt, policy analyst, policy development branch; and Bill Walker, program supervisor, Ottawa area office.

Beverly Leaver, MSW, a research consultant on contract to the ministry, has been assisting the committee to collate, analyse and interpret the data collected by the participating religious

organizations. Under the terms of the contract, it is estimated that she will have spent 68 days on this project by the end of July 1986 for a total fee of \$9,835.

The design of the review includes several components: (1) a detailed questionnaire administered by the church organizations to a selected sample of their clients on a one-time basis; (2) a brief monthly form completed by all the church organizations concerning all their clients; (3) interviews by the consultant with a sample of front-line program operators.

The sample of clients was interviewed during November, December and January. The data from the monthly statistics forms will be completed when the forms for April are received. The interviews with operators of church programs will be conducted in May and June. The expected completion date of the review is July 31, 1986.

OPENING OF SESSION

262. Mr. Andrewes: Would the Premier provide the names and addresses of all those invited to the opening of the Second Session of the 33rd Parliament of the province of Ontario, enumerating the costs incurred for the printing and mailing of the invitations, refreshments served in public areas—excluding those of the Lieutenant Governor's reception—and all audio-visual equipment? [Tabled April 24, 1986]

Hon. Mr. Wrye: 1. There were no individual invitations mailed out for the opening of the Second Session of the 33rd Parliament of Ontario.

2. Refreshments served in the public area for the opening of the Second Session of the 33rd Parliament on April 22, 1986 cost \$4,815 and were paid for from the government of Ontario hospitality fund.

3. Cost of the audio-visual equipment for the same ceremony, including hardware and labour was \$1,979.50.

270. Mr. Villeneuve: Would the Minister of Government Services provide the list of newspapers in which the public invitation to the opening of the Second Session of the 33rd Parliament of the Ontario Legislature was placed, the cost of advertising, and the criteria for the advertising? [Tabled April 29, 1986]

Hon. Mr. Peterson: 1. The advertisement for the public invitation to the opening of the Second Session of the 33rd Parliament on April 22, 1986, was placed in the following 37 Metro Toronto and area weeklies and dailies at a total

cost, including production, of \$6,027.39:

Canada Times; Chinese Express; Contrast; Corriere Canadese; Corriere Illustrato; Deutsche Presse; Dong-a-Daily News; Echo Tygodnia; El Popular; Greek Canadian Weekly; Hellenic Canadian Chronicles; Homin Ukrainy; Kanadai Magyarsag; Korea Times Ltd.; Korean Journal; La Razon En El Mundo Del Ruido; Latvija Amerika; Magyar Elet; Minjoong Shinmoon; Nase Novine; New Korean Times; Novo Mundo; Nuevo Diario; Panjab; Portuguese Sun; Sanjh Savera; Share; Shing Wah Daily News; Sporthirado; the New Canadian; the Nikka Times; the Toronto Star; the Toronto Sun; Vaba Eestlane; Vapaa Sana; Vilne Slovo, and Zwiazkowiec.

2. The advertisements were placed under the guidelines of the government communications information program/Ontario 20 program.

FARM LAND

265. Mr. Villeneuve: Would the Ministry provide the number of acres of land classified as farm land held by the Ontario Land Corp.; the number of acres of farm land currently rented-leased by OLC and the number of leases; the number of acres of farm land classified respectively as class 1 through class 7; the number of leases which will respectively expire in 1986, 1987, 1988, 1989 and 1990, and the corresponding acreage affected each year; the schedule of rents charged for farm land by the OLC for 1986, 1985, 1984; the number of acres of farm land which the OLC intends to put up for sale in 1986 and 1987, respectively? [Tabled April 24, 1986]

Hon. Mr. Curling: Number of acres classified as farm land, 52,421 acres; number of acres of farm land currently leased, 52,105 acres; number of farm leases, 564.

Statistical data of the number of acres of farm land in each of the Canada land inventory mapping classifications has not been determined. Ministry of Agriculture and Food technical staff estimate that Ontario Land Corp. farm land is class 1 to 4.

Number of leases which expire: 1986—100 (7,344 acres); 1987—104 (8,396 acres); 1988—52 (4,394 acres); 1989—173 (15,748 acres); 1990—135 (16,223 acres); total—564 (52,105 acres).

Schedule of rents charged is attached as schedule 1.

Projected OLC farm land sales in fiscal 1986-87, approximately 3,600 acres; in fiscal 1987-88, approximately 4,100 acres.

Schedule 1—schedule of rents charged:

| Assembly | | 1986 | 1985 | 1984 |
|------------------|--------------------------------|-------|-------|-------|
| Cambridge | Residence—per month (max.) | 275 | 260 | 260 |
| Kitchener | Land - per eff. acre/per annum | 44 | 42 | 42 |
| Brantford | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |
| Townsend | Residence - per month (max.) | 275 | 260 | 260 |
| | Land - per eff. acre/per annum | 34 | 32 | 32 |
| | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |
| Whitby | Residence - per month (max.) | 275 | 260 | 260 |
| | Land - per eff. acre/per annum | 282 | 626 | |
| | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |
| Pickering | Residence - per month (max.) | 385 | 370 | 370 |
| | Land - per eff. acre/per annum | 28 | 26 | 26 |
| | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |
| Milton | Residence - per month (max.) | 385 | 370 | 370 |
| Oakville | Land - per eff. acre/per annum | 20 | 19 | 19 |
| Saltfleet | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |
| South Cayuga | Residence - per month (max.) | 275 | 260 | 260 |
| | Land - per eff. acre/per annum | 15 | 14 | 14 |
| | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |
| Carlsbad Springs | Residence - per month (max.) | 220 | 210 | 210 |
| | Land - per eff. acre/per annum | 11 | 10 | 10 |
| | Buildings - per annum (max.) | 1,100 | 1,050 | 1,050 |

SMALL BUSINESSES

272. Mr. Barlow: 1. Would the Ministry of Industry, Trade and Technology indicate to whom the committee of parliamentary assistants for small business reports?

2. Would the minister provide the specified duties and objectives of the committee of parliamentary assistants for small business?

3. Would the minister provide the specified duties of the advocate for small business, the member for Wellington South (Mr. Ferraro)?

4. Would the minister provide the objectives and specified duties of the manager of the small business advocacy section of the Ministry of Industry, Trade and Technology?

5. Would the minister provide the names and positions of all ministry staff who report to the advocate for small business, the member for Wellington South? [Tabled April 29, 1986]

Hon. Mr. O'Neil: 1. The committee of parliamentary assistants for small business reports to the Minister of Industry, Trade and Technology.

2. See news release and mandate for details.

3. See news release and mandate for details.

4. The manager of the small business advocacy section of the Ministry of Industry, Trade and Technology directs a team of advocates in identifying and analysing small business issues, developing policy positions based on these

analyses and marketing these positions to senior management of the Ministry of Industry, Trade and Technology and other ministries. The manager plays an important role in improving the climate for small business through effective advocacy of public policy actions and ongoing liaison with the small business community.

5. Funds and staff time will be available to the committee and the member for Wellington South from the resources of the small business branch. This includes projects such as research, promotion and outreach which the committee or the member for Wellington South may wish to undertake. The line reporting of small business branch staff will continue to be in the ministry structure. The director of small business will be the lead official connecting the committee to the ministry.

News release:

"MPP Group Formed to Support Ontario's Small Businesses.

"Toronto: Ontario Minister of Industry, Trade and Technology, Hugh P. O'Neil today announced the formation of the committee of parliamentary assistants for small business, a group of MPPs who are parliamentary assistants in the ministries most closely concerned with the needs and problems of Ontario's 270,000 entrepreneurs who own their own small businesses.

"This group of six members of the Legislature, headed by my parliamentary assistant Rick

Ferraro, has been meeting since the beginning of the year, and now has adopted a mandate formally defining its purpose and concerns,' Mr. O'Neil said. 'Small business plays a vital role in the economy of our province, and we want to ensure that its voice is heard whenever new or revised legislation affecting this sector is being considered.'

"The members of the committee include Mr. Ferraro from Industry, Trade and Technology; Joseph Cordiano of the Ministry of Skills Development; Herb Epp of the Ministry of Treasury and Economics; Remo Mancini of the Office of the Premier; Steven Offer of the Ministry of Consumer and Commercial Relations, and Claudio Polsinelli of the Ministry of Labour.

"We see our committee as a contact point for dialogue between the government and the small business community,' chairman Rick Ferraro noted. 'Our mandate is to develop a process for reviewing existing regulations and screening new legislation so these are as responsive as possible to the realities of doing business.'

"The committee will be a source of advice to the government on new ideas to assist small business, as well as being a forum for evaluation of existing programs. The small business branch of the Ministry of Industry, Trade and Technology will serve as secretariat to the group.

"Further information on the committee of parliamentary assistants for small business is available from Rick Ferraro, MPP, at 965-6731, or from Peter Friedman, director of the small business branch at MITT, at 965-3405.

"Media ref. - Mike Minnich, 956-7075"

Small business fact sheet:

Ontario defines a small business as a firm with less than 100 employees.

There are 272,000 small businesses in Ontario—1984 statistics.

Those businesses employ 1.7 million people, 50 per cent of Ontario's private sector work force.

Between 1978 and 1982, small businesses created 89 per cent of net new jobs in Canada.

In that period, 55 per cent of new job opportunities were generated by small business startups.

In fiscal 1985-86, over 95,000 new firms were started in Ontario.

Annual payroll for small business in Ontario is \$27 billion.

Sixty-five per cent of young people with jobs work for small business.

Over 25 per cent of new small businesses are owned by women.

Ninety-two per cent of small businesses are in the service sector, seven per cent are in manufacturing and one per cent in resources.

Mandate, committee of parliamentary assistants for small business:

The government of Ontario recognizes that the province's 270,000 small business owners are a dynamic force in the economy. Small business plays a vital role in job creation, innovation and adapting to market opportunities. The government is determined to maintain the confidence of the small business community in Ontario's future.

The government wants to encourage and assist business owners as they start an enterprise and strive to make it succeed. It hopes to make the apparatus of government less confusing and intimidating to the small business community than it may now appear. The government wants to address the concerns small business owners have about their interaction with government.

The government has established the committee of parliamentary assistants for small business with the intention of promoting a more positive business climate. Its purposes are:

1. To demonstrate to the business community that the Ontario government has a positive, co-ordinated approach to small business owners. The committee will provide a channel for listening to business owners and associations and help ensure that the government's agenda is implemented in a manner sensitive to business;

2. To consider existing programs for small business and ensure that they are effective, accessible and designed to provide maximum benefit;

3. To develop a process for reviewing existing regulation and screening new legislation and rules to make them as responsive as possible to the realities of doing business;

4. To advise the government on new ideas and initiatives in support of small business. The committee will identify opportunities to assist small business owners in such areas as financing, advice and counsel, and taxation.

NURSING HOMES

273. Mr. D. S. Cooke: Will the Minister of Health indicate where in its policy guidelines the Ministry of Health requires nursing home operators to provide rehabilitative care? Further, will he also indicate what action it takes to ensure that rehabilitative care is provided for the nursing

home residents of this province? [Tabled May 1, 1986]

274. Mr. D. S. Cooke: Will the Minister of Health indicate where in its policy guidelines the Ministry of Health requires nursing home operators to provide restorative health care? Further, will he also indicate what action it takes to ensure that restorative health care is provided for the nursing home residents of this province? [Tabled May 1, 1986]

Hon. Mr. Elston: The ministry uses the terms "rehabilitative care" and "restorative care" interchangeably to mean a program aimed at restoring residents' cognitive, affective, physical and social functioning and at retarding deterioration in these areas.

Regulation 690, subsection 56(5), under the Nursing Homes Act makes provision for residents to receive care, including restorative care, according to their needs.

On admission, residents are assessed to determine current and potential needs. Restorative care includes measures such as bladder and bowel training, gait training and ambulation, range-of-motion exercises, positioning and body

alignment, reality orientation and resident teaching in activities of daily living—i.e., personal hygiene, dressing, eating and the use of self-care devices.

To ensure that residents' restorative care needs are met, nurse inspectors identify those residents requiring such care and review the actual program of restorative care provided. In addition, these residents' care plans and health records are required to determine that appropriate and adequate restorative measures are included.

In September 1978, the ministry developed Standards and Guidelines for Activation in Nursing Homes and these were distributed to all the homes in the province.

CONTROL ORDERS

276. Mr. Harris: Will the Minister of the Environment provide the number of control orders issued by the ministry since June 26, 1985; the dates the orders were issued; to which firms, including their addresses; the reason(s) the orders were issued? [Tabled May 7, 1986.]

Hon. Mr. Bradley: Control orders issued since June 26, 1985:

| Date | Firm/company | Reason |
|----------------|--|--|
| March 26, 1986 | Beckers Lay-Tech Inc. 51 Breithaut Street Kitchener, Ontario | Control of air emissions from moulding presses. |
| April 1, 1986 | Thane Developments Ltd. P.O. Box 99 Keswick, Ontario assessment report. | To prevent discharge of air and ground-water contaminants and to prepare hydrogeological |
| March 17, 1986 | Canada Cement LaFarge Ltd. P.O. Box 608 Woodstock, Ontario N4S 7Z5 | Control of visible air emissions. |
| August 8, 1985 | Abitibi Price Inc. Iroquois Falls Div. Toronto-Dominion Centre Toronto, Ontario M5K 1B3 | Control of contaminants in mill effluent. |
| August 7, 1985 | Abitibi Price Inc. Smooth Rock Falls Div. Toronto-Dominion Centre Toronto, Ontario M5K 1B3 | Control of contaminants |

HAZARDOUS SPILL

278. Mrs. Grier: Will the Minister of the Environment report on the total amount of money expended by his ministry to clean up the polychlorinated biphenyl spill in Kenora in April 1985? Will the minister report the breakdown of these costs including repairs to the highway, removal of contaminated parts of the highway, etc.? Will the minister also report whether the owner of the Husky station who was forced to close as a result of this spill has been compensated and whether any other businesses that have been affected by the spill have been compensated? [Tabled May 8, 1986]

Hon. Mr. Bradley: The costs incurred by the Ministry of the Environment were \$293,912.

This total includes the consultant fees for the preliminary design of the proposed disposal site and also the design and construction of the building erected on the property of Ontario Hydro to store the drums collected during the cleanup. The total does not include salary costs incurred by staff of the Ministry of the Environment and analytical costs incurred by the central laboratory.

The costs incurred by the Ministry of Transportation and Communications are being provided separately.

The owner of the Husky station who was forced to close his operation during the cleanup period was compensated through his insurance company. The government has not, to date, compensated any businesses for their losses during the cleanup period, nor has the government compensated costs incurred by the municipalities of Kenora, Dryden or Ignace. These costs have been forwarded to the office of the Attorney General (Mr. Scott), who is determining whether the province should proceed with litigation to recover our costs incurred by the incident.

Hon. Mr. Fulton: The amount expended by the Ministry of Transportation and Communications has totalled \$231,188.35. This total includes the first and second protective coatings on the highway, traffic control, sample testing for the Ministry of the Environment, staff salaries, equipment costs and administrative overheads.

Repaving of the affected sections of the highway has not taken place to date, thus expenditures have not yet been incurred.

MULTICULTURAL POLICY

279. Mr. Shymko: Will the Minister of Citizenship and Culture provide: (a) the name(s)

and position(s) of the individual(s) who prepared the ministry document entitled *Multiculturalism: How is the Liberal Government Different?*; (b) whether it is the practice of the minister to dissociate herself from all documents prepared by the ministry or only a select few; (c) what instructions have been given to ministry employees for future preparations of multicultural documents? [Tabled May 12, 1986]

Hon. Ms. Munro: (a) Numerous documents are prepared for the review of ministers and senior staff in government to ensure that various options are considered in the development of policies and programs. Such works normally reflect the contributions of a wide number of individuals. It is not the usual practice in government to identify those who contributed to and/or prepared these documents. (b) No. (c) None.

SPECIAL ADVISER

280. Mr. Davis: Will the Minister of Education provide the salary of Dr. Graham Orpwood in his capacity as special adviser; the names and positions of any staff who will report to Dr. Orpwood; the salaries of these individuals; whether the salaries for staff, including Dr. Orpwood, have been included in the \$3-million budget for the program to renew science education? Tabled May 13, 1986]

Hon. Mr. Conway: Dr. Graham Orpwood has been appointed as a special adviser to the minister for the primary/junior science renewal project. He will be paid on a per diem basis at a rate of \$300 per day, to a maximum of 80 days. This payment will be part of the \$3-million budget for this initiative.

Dr. Orpwood will be liaising directly with the curriculum branch and will be provided with clerical assistance by the branch as required.

OCCUPATIONAL HEALTH AND SAFETY

282. Mr. Wildman: Would the Minister of Natural Resources provide all cost-benefit analyses completed by the ministry of the current downgrading of the operation of the Kirkwood MNR office in the Blind River district to two days each week; all cost-benefit analyses completed by MNR of the proposed closure of the Kirkwood office; and explain how the downgrading and/or closure of this office will improve the efficiency and cost-effective operation of the Blind River MNR district and service to the public of the area? Also, would the minister provide figures that demonstrate that the consoli-

dation of the Kirkwood office and MNR's Thessalon tree nursery would result in significant savings? [Tabled May 15, 1986]

Hon. Mr. Kerrio: To date ministry staff are still assessing the services provided at the Kirkwood office and the prospect of centralizing services and staff at the Thessalon tree nursery. The district manager at Blind River has assigned two senior staff from the Kirkwood area to evaluate this proposal.

With respect to staffing, the northeastern region is at present re-assessing its forest management needs in each of the seven districts involved.

The main objective is to ensure that sufficient personnel are assigned in each area to meet program needs and efficiency in serving the public. It is expected that the review will be completed within the next couple of months.

SOCIAL ASSISTANCE

283. Mr. R. F. Johnston: Would the Minister of Community and Social Services please table in the House the guidelines for Social Assistance Review Board members in the conducting of appeals and the writing of decisions? [Tabled May 20, 1986]

Hon. Mr. Sweeney: Guidelines for members of the Social Assistance Review Board are in the process of being drafted, in preparation for production of a members' training manual, and are not available at the present time.

The board chairperson has made this a priority and has obtained the services of a special consultant to facilitate development of this document which is currently in draft form and should be completed by the end of June 1986.

APPOINTMENTS IN PUBLIC SECTOR

292. Mr. McCague: Would the Premier provide the criteria for releasing the salaries of order-in-council appointees? [Tabled May 22, 1986]

Hon. Mr. Peterson: The general practice is that orders in council providing individual names of appointees and their specific salaries are not released. Any exceptions would be made at the direction of the executive council.

HAZARDOUS SPILL

293. Ms. Fish: Would the Minister of the Environment advise the House how many letters of intent to seek compensation have been received by the Environment Compensation Corp. from Timmins residents affected by the

March 31, 1986, gasoline spill? Would he further advise how many formal applications have been received, and the amounts of compensation being sought? Have any claims been made for mental stress, pain and suffering? What kind of claims are being allowed? What is the valuation system being used for actual damage to property and food stocks? How many claims have been settled? In each case, please provide details as to the size of the settlement, and how it compares to the amount requested in the original claim. [Tabled May 22, 1986]

Hon. Mr. Bradley: As of May 27, 1986, the Environmental Compensation Corp. has received 61 interim notices of loss or damage from Timmins residents affected by gasoline spill of March 31, 1986.

No formal application for compensation has been received. The Environmental Protection Act and regulation 618/85 require that spill victims submit their claims to their own insurance company and those that may be liable before applying to the ECC for compensation.

Under section 106 of the Environmental Protection Act, the ECC is required to preserve confidentiality with respect to all matters except in relation to the administration of the act, or with the consent of those to whom the information relates. Without this consent, the ECC cannot provide information concerning specific details, such as, the size of a particular settlement or the amount requested in a claim.

The valuation of specific claims will be done in accordance with generally accepted adjusting and accounting principles and practices.

HOSPITAL FUNDING

294. Mr. Andrewes: Would the Minister of Health table all existing commitments for capital expenditures by hospital, type of commitment, amount, and date committed? [Tabled May 22, 1986]

Hon. Mr. Elston: An overall capital plan is being developed including existing and future plans and will be released when approved by cabinet.

GOVERNMENT CARS

297. Mr. McCague: Would the Chairman of Management Board provide a list of all government members who are not members of cabinet but have a car and a driver assigned to them? [Tabled May 26, 1986]

Hon. Mr. Peterson: In reply to the member's question, a car and a driver are assigned to the

chief government whip and deputy House leader, the member for London South (Ms. E. J. Smith).

MINISTERS' STAFFS

310. Mr. Hennessy: Would each minister provide a list of former provincial or federal Liberal candidates who are now employed full- or part-time on any minister's personal staff? [Tabled June 4, 1986]

Hon. Mr. Peterson: Julian Reed, executive assistant to the Minister of Natural Resources and Minister of Energy (Mr. Kerrio); Sally Kelly, special projects co-ordinator, office of the Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Mr. Kwinter); David MacDonald, special assistant to the Minister of Natural Resources and Minister of Energy (Mr. Kerrio).

INTERIM ANSWERS

271. Mr. Villeneuve: Hon. Ms. Caplan—The ministry will require additional time to provide the information required by this question. The answer should be available on or about July 18, 1986.

284. Mr. Villeneuve: Hon. Ms. Caplan—The ministry will require additional time to provide the information required by this question. The answer should be available on or about July 17, 1986.

286. Mr. Runciman: Hon. Mr. Kwinter—It will take longer than the customary 14 days to gather the information needed to answer this question. I expect to table an answer on or before July 31, 1986.

289. Mr. McLean: Hon. Ms. Caplan—The normal period of 14 days will be insufficient to provide the information required to answer this question. The answer should be available on or about July 17, 1986.

295. Ms. Fish: Hon. Mr. Bradley—Due to the voluminous nature of data requested from the three ministries, additional time will be required to answer the question. The response will be submitted to your office in the week of July 4, 1986.

300. Mr. D. S. Cooke: Hon. Mr. Elston—A response to question No. 300 will be ready for tabling on or about June 25, 1986.

302. Mr. Philip: Hon. Ms. Caplan—The ministry will require additional time to provide the information required by this question. The answer should be available on or about September 26, 1986.

RESPONSES TO PETITIONS

HOSPITAL CLOSING

Sessional paper 26, re MacDonald Memorial Hospital.

Hon. Mr. Elston: The proposed new chronic care facilities in Cornwall are in effect a replacement of Macdonell Memorial Hospital. Patients will be transferred to the new 100-bed wing at Hotel Dieu Hospital and to a smaller 22-bed rehabilitation unit at Cornwall General Hospital.

The ministry has no direct involvement in the engagement, dismissal or layoff of hospital employees, hence it is not in a position to make "guarantees" as requested of the ministry by Ernie Kelly and citizens through their deposition to the member for Cornwall (Mr. Guindon).

The merger, a joint proposal by the boards of the hospitals in Cornwall, has been under way since 1979.

A joint committee of the boards of the hospitals has been established to co-ordinate the placement of staff and to ensure that employees at Macdonell Memorial Hospital will be given fair treatment, and that as many employees as possible will be transferred with reasonable fringe-benefits rights to the remaining two institutions. In this regard, the ministry has been informed that in March 1986 the boards of the two hospitals in a joint letter delivered to the home of each employee advised that:

1. Generally, job loss will occur through attrition;

2. Some employees may have to be offered other positions in the new facilities because their present positions will become redundant.

At the present time, Hotel Dieu Hospital and Cornwall General Hospital are negotiating with their unions to reach an agreement that employees engaged after January 1986 are considered temporary staff and will be hired on contract. These positions will be held for Macdonell Memorial employees whose jobs will become redundant.

NATUROPATHY

Sessional paper 27, re naturopaths.

Hon. Mr. Elston: The regulation of the health professions is currently being examined by the Health Professions Legislation Review.

The review developed nine criteria, all of which must be met to justify statutory regulation of a profession. The purpose of regulation is not to confer status on professional groups or to pass

judgement on their professional contribution to health care. The fundamental issue has been to determine which health care professions require statutory regulation in order to protect the public interest.

On April 3, 1986, it was announced that when the planned new regulatory structure for the health professions is implemented it will not include naturopaths.

The principal reason for this decision is that naturopathy is based on a philosophy of natural healing that makes it extremely difficult to define standards of practice. As a result, the continued regulation of naturopaths would not enhance protection of the public because there is no basis for the development and enforcement of standards of practice.

Until the new regulatory structure is implemented, naturopaths will continue to practise under their current governing body. Once the new legislation is in place, naturopaths will practise as an unregulated profession.

EXTRA BILLING

Sessional paper 32, re health care providers in Ontario.

Hon. Mr. Elston: The Minister of Health introduced the Health Care Accessibility Act on December 19, 1985. This bill will prohibit all physicians, including those who opt out of the Ontario health insurance plan and bill their patients directly, from charging more than OHIP rates. In addition, the ban on extra billing will extend to insured dentistry services performed in hospitals and all insured optometry services.

The government has taken this action because it firmly believes that extra billing represents a serious threat to the publicly financed, publicly administered health care system of this province. Ontario's health system rests on the fundamental principle that no one will be deterred from receiving needed care because of financial status or inability to pay. Almost 20 years have passed since the prepaid government insured services became available in Ontario, yet residents are still being deterred by extra bills from seeking medical services.

The Canada Health Act, which states that health care must be provided "without financial or other barriers," passed by unanimous vote in the House of Commons and the Senate of Canada in 1984. This act imposes financial penalty on any province where extra billing is permitted. As a result, the federal government is currently

withholding approximately \$4.4 million a month in transfer payment to Ontario.

A ban on extra billing does not create civil service medicine. In this province, the vast majority of doctors are already practising medicine on an opted-in basis and they are entirely free to treat their patients as they see fit. The only change resulting from the ban will be a requirement that physicians charge no more than the fees agreed upon after negotiation between their professional representatives and the province.

This government has always said that it is willing to meet anywhere and at any time with representatives of the Ontario Medical Association to discuss this legislation. Prior to the introduction of Bill 94 and for some time after, the Ontario Medical Association had refused to meet to discuss ways to end extra billing. It was not until recently that the association agreed to meet and a number of meetings have occurred since.

OBSTETRICAL SERVICES

Sessional paper 41, re Nipigon District Memorial Hospital.

Hon. Mr. Elston: The provision of obstetrical services at the Nipigon District Memorial Hospital has been fully discussed at the local level, including a public meeting recently held in the town of Nipigon. Emergency obstetrical services will be offered as well as pre-natal and post-natal care.

The low number of births in Nipigon has prevented the physicians from retaining their expertise in obstetrics and, therefore, it was recommended that the people in Nipigon utilize the excellent tertiary-level obstetrical care in Thunder Bay.

This decision was made at the local level by the physicians and endorsed by the hospital's board of trustees and the district health council.

ELECTORAL DISTRICTS REDISTRIBUTION

Sessional paper 56, re Ontario Electoral Boundaries Commission's proposed change to electoral districts of Burlington South and Oakville South.

Hon. Mr. Nixon: An independent commission was set up by the Legislature in 1982. The commission held public hearings across the province to provide members of the public with an opportunity to express their views on the proposed boundaries.

Some changes to the boundaries were made subsequent to the public hearing process. This second presentation of the commission was subject to debate and input by the members in the Legislature.

The commission's final report has been tabled

and the legislation to enact the commission's recommendations will shortly be introduced in the Legislature. Proposals for changes at this stage in the process may be made by members of the Legislature during the passage of the bill.

CONTENTS

Monday, June 23, 1986

Members' statements

| | |
|--|------|
| Visitors, Mr. Barlow | 1813 |
| Insurance rates, Mr. Swart | 1813 |
| Brampton festival, Mr. Callahan | 1813 |
| Insurance rates, Mr. J. M. Johnson | 1813 |
| Small claims court, Mr. Ramsay | 1814 |
| Polish centennial, Mr. D. R. Cooke | 1814 |
| Rapid transit, Mr. Gregory | 1814 |

Statements by the ministry and responses

| | |
|---|------|
| Eakins, Hon. J. F., Minister of Tourism and Recreation: | |
| Tourism , Mr. Rowe, Mr. Hayes | 1817 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Air-India disaster , Mr. Grossman, Mr. Rae | 1817 |
| Scott, Hon. I. G., Attorney General: | |
| Extra billing , Mr. Pope, Mr. Rae | 1815 |
| Trespassing | 1816 |
| Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development: | |
| Student venture capital program , Mr. Jackson, Mr. Warner | 1819 |

Oral questions

| | |
|---|------|
| Conway, Hon. S. G., Minister of Education: | |
| Heritage languages , Mr. Grande | 1828 |
| Curling, Hon. A., Minister of Housing: | |
| Housing policy , Mr. Reville | 1825 |
| Rent review , Mr. Gordon | 1829 |
| Fontaine, Hon. R., Minister of Northern Development and Mines: | |
| Algoma Central Railway , Mr. Wildman | 1830 |
| Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions: | |
| Insurance rates , Mr. Swart | 1827 |
| Insurance rates , Mr. Swart | 1828 |
| O'Neil, Hon. H. P., Minister of Industry, Trade and Technology: | |
| Technology fund , Mr. Gillies | 1827 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Extra billing , Mr. Grossman, Mr. Rae | 1820 |
| Extra billing , Mr. Grossman | 1823 |
| Access to abortion committees , Mr. Andrewes | 1824 |
| Technology fund , Mr. Gillies | 1826 |
| Pharmaceutical legislation , Mr. Leluk | 1828 |

Scott, Hon. I. G., Attorney General:

| | |
|---|------|
| Equal pay for work of equal value , Ms. Gigantes | 1823 |
| Access to abortion committees , Mr. Rae | 1825 |
| Small claims court , Mr. Callahan | 1829 |

Sweeney, Hon. J., Minister of Community and Social Services:

| | |
|--|------|
| Children's aid society , Mr. Callahan | 1826 |
|--|------|

Wrye, Hon. W. M., Minister of Labour:

| | |
|--|------|
| Children's aid society , Mr. Cordiano | 1825 |
| Workers' Compensation Board , Mr. McClellan | 1827 |

Petitions

| | |
|--|------|
| Roman Catholic secondary schools , Mr. Sterling, tabled | 1830 |
| Naturopathy , Mr. Cordiano, tabled | 1830 |
| Abortion , Mr. Pollock, tabled | 1830 |
| Sale of beer and wine , Mr. Rowe, tabled | 1831 |

Report by committee

| | |
|---|------|
| Standing committee on resources development , Mr. Laughren, tabled | 1831 |
|---|------|

Motion

| | |
|---|------|
| Committee sitting , Mr. Nixon, agreed to | 1831 |
|---|------|

Committee of the whole House

| | |
|--|------|
| Education Amendment Act , Bill 30, Mr. Conway, Mr. Sterling, Mr. Allen, Mr. Baetz, Mr. Ashe, Mr. Davis, Mr. Harris, Mr. Jackson, reported | 1831 |
|--|------|

Third reading

| | |
|---|------|
| Education Amendment Act , Bill 30, Mr. Conway, Mr. Reycraft, Mr. Sterling, Mr. Allen, Mr. Nixon, Mr. R. F. Johnston, Mr. Davis, Mr. Rae, Mr. Grossman, agreed to | 1855 |
|---|------|

Other business

| | |
|---|------|
| Members' expenditures , Mr. Speaker | 1813 |
| Visitor , Mr. Speaker | 1814 |
| Tabling of information , Mr. Harris, Mr. Nixon | 1819 |
| Adjournment | 1855 |

Appendix

Answers to questions in Orders and Notices

Bradley, Hon. J. J., Minister of the Environment:

| | |
|---|------|
| Control orders , question 276, Mr. Harris | 1869 |
| Hazardous spill , question 278, Mrs. Grier | 1870 |
| Hazardous spill , question 293, Ms. Fish | 1871 |

Caplan, Hon. E., Chairman of the Management Board of Cabinet and Minister of Government Services:

| | |
|---|------|
| Government accountability , question 240, Mr. Guindon | 1859 |
| Trade shows , question 242, Mr. Villeneuve | 1860 |
| Legislative Building , question 243, Mr. Villeneuve | 1861 |
| Government land holdings , questions 244 and 245, Mr. Villeneuve | 1861 |

| | |
|---|------|
| Conway, Hon. S. G., Minister of Education: | |
| Special adviser , question 280, Mr. Davis | 1870 |
| Curling, Hon. A., Minister of Housing: | |
| Farm land , question 265, Mr. Villeneuve | 1866 |
| Elston, Hon. M. J., Minister of Health: | |
| Nursing homes , questions 273 and 274, Mr. D. S. Cooke | 1868 |
| Hospital funding , question 294, Mr. Andrewes | 1871 |
| Fulton, Hon. E., Minister of Transportation and Communications: | |
| Expo 86 pavilion , question 207, Mr. Philip | 1856 |
| Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy: | |
| Government office , question 282, Mr. Wildman | 1870 |
| Munro, Hon. L. O., Minister of Citizenship and Culture: | |
| Multicultural policy , question 279, Mr. Shymko | 1870 |
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue: | |
| Wetlands policy , question 239, Mr. Dean | 1858 |
| O'Neil, Hon. H. P., Minister of Industry, Trade and Technology: | |
| Minister's trip , question 247, Mr. Bennett | 1862 |
| Price of book , question 255, Mr. Barlow | 1864 |
| Small businesses , question 272, Mr. Barlow | 1867 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Stratford festival , question 216, Mr. Leluk | 1858 |
| Cocktail party , question 252, Mr. Gordon | 1863 |
| Postage rate , question 253, Mr. Bennett | 1864 |
| Opening of session , questions 262, Mr. Andrewes; 270, Mr. Villeneuve | 1866 |
| Appointments in public sector , question 292, Mr. McCague | 1871 |
| Government cars , question 297, Mr. McCague | 1871 |
| Ministers' staffs , question 310, Mr. Hennessy | 1872 |
| Riddell, Hon. J. K., Minister of Agriculture and Food: | |
| Food land preservation policy , question 246, Mr. Cousens | 1861 |
| Tile drainage , question 248, Mr. Stevenson | 1862 |
| Ontario family farm interest rate reduction program , question 249, Mr. Stevenson | 1863 |
| Scott, Hon. I. G., Attorney General: | |
| Appointment in public sector , question 214, Mr. Pollock | 1857 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Social assistance , questions 258 and 259, Mr. Cousens | 1864 |
| Food distribution , question 260, Mr. Cousens | 1865 |
| Social assistance , question 283, Mr. R. F. Johnston | 1871 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Occupational health and safety , question 100, Mr. Martel | 1856 |
| Interim answers , questions 271, 284, 286, 289, 295, 300 and 302 | 1872 |

Responses to petitions

Elston, Hon. M. J., Minister of Health:

| | |
|---|------|
| Hospital closing , sessional paper | 1872 |
| Naturopathy , sessional paper | 1872 |
| Extra billing , sessional paper | 1873 |
| Obstetrical services , sessional paper | 1873 |

Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue:

| | |
|---|------|
| Electoral districts redistribution , sessional paper | 1873 |
|---|------|

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Andrewes, P. W. (Lincoln PC)
Baetz, R. C. (Ottawa West PC)
Barlow, W. W. (Cambridge PC)
Breaugh, M. J. (Oshawa NDP)
Callahan, R. V. (Brampton L)
Conway, Hon. S. G., Minister of Education (Renfrew North L)
Cooke, D. R. (Kitchener L)
Cordiano, J. (Downsview L)
Curling, Hon. A., Minister of Housing (Scarborough North L)
Davis, W. C. (Scarborough Centre PC)
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Fontaine, Hon. R., Minister of Northern Development and Mines (Cochrane North L)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Gordon, J. K. (Sudbury PC)
Grande, T. (Oakwood NDP)
Gregory, M. E. C. (Mississauga East PC)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Hayes, P. (Essex North NDP)
Jackson, C. (Burlington South PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Johnston, R. F. (Scarborough West NDP)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Leluk, N. G. (York West PC)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
Pollock, J. (Hastings-Peterborough PC)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Ramsay, D. (Timiskaming NDP)
Reville, D. (Riverdale NDP)
Reycraft, D. R. (Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)
Sterling, N. W. (Carleton-Grenville PC)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)



No. 38

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Tuesday, June 24, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, June 24, 1986

The House met at 2 p.m.

Prayers.

VISITORS

Mr. Speaker: I ask all members to join me in recognizing in the Speaker's gallery today David Henshaw, member of the Legislative Council and member for the riding of Geelong, state of Victoria, Australia. Please join me in welcoming Mr. Henshaw.

PREMATURE DISCLOSURE OF COMMITTEE REPORT

Mr. Andrewes: On a point of privilege, Mr. Speaker: I rise to draw your attention, regretfully, once again, to a matter that appears to breach the privileges of every member of the Legislature. This morning the Toronto Star ran an article which alleged to represent the contents of a draft report of the select committee on energy. The article refers to a source as an authority for its quotes.

I refer you to the standing committee on procedural affairs, Report on Standing Orders and Procedures, No. 3, 1984, in which that committee refers to this matter. In considering this matter, I would like you to refer to two points contained in the report.

First, "If a committee meets in camera to write its report, the report should first be presented to the House before it is released to the public." Second, "It is unethical for members to disclose matters relating to the contents of the committee's report, which was considered and adopted while the committee met in camera, before the report has been presented to the House. Such disclosure may be found to be a breach of the privileges of the House and may constitute a contempt of parliament."

As chairman of the committee, I ask you to investigate this apparent breach of the privileges and to report back to the House.

Mr. McClellan: Mr. Speaker, I support the point that has been raised by my colleague the member for Lincoln (Mr. Andrewes). I believe the release of draft reports from committees has in the past been found by you, sir, to be a breach of privilege. I ask you to find that this latest incident once again is a breach of our privileges

and to refer this matter to the standing committee on the Legislative Assembly.

Mr. McGuigan: As a member of the committee, I support the previous speakers. It puts all committee members under a dark cloud and I think that suspicion should be lifted.

Mr. Shymko: I join the comments of my colleagues, adding that the leaked report on the stockyards should be part of that issue as well.

Mr. Speaker: I have listened carefully to the point raised by the member for Lincoln and the comments made by other members. I recall very distinctly a similar matter being raised, I believe in November 1985. At that time, I stated that such premature release has always been held to be a breach of the privileges of the members, constituting a contempt of the House.

As members know, it is up to the Speaker to decide whether it may or may not be a breach of privilege. Then it is up to the House to decide what it wants to do with it. Under the circumstances, and listening to the members, I feel it may be a breach of privilege.

Mr. Martel: Mr. Speaker, would you like to buy some sodium pentothal before you send it to committee?

Mr. Speaker: It is up to any member of this House if he or she wishes to make a motion to send it to the committee.

Mr. Breagh moved that the matter be referred to the standing committee on the Legislative Assembly.

Motion agreed to.

Mr. Speaker: I ask the member for Oshawa (Mr. Breagh) to put that in writing to the table.

2:06 p.m.

MEMBERS' STATEMENTS

CHILDREN'S AID SOCIETY

Mr. Cousens: I rise with the concern of the children of Toronto because of the strike and withdrawal of services by the Children's Aid Society of Metropolitan Toronto, a consideration that has to be of significant interest to all members of this House, all residents of Metropolitan Toronto and the people of Ontario.

We are dealing with the largest agency serving children in North America, and we see a withdrawal of services that leaves the supervision and care of many of the needs of these people and these clients to a small number of management personnel who are now reaching the point where they are not able to do the job—they never could—of serving this client base.

We are talking about an issue in which our province has always had great interest, but it is failing to show that interest in a tangible and meaningful way as we move into negotiations tomorrow. I hope the mediator will be able to bring something to the table. However, he cannot do much unless our own Minister of Community and Social Services (Mr. Sweeney) begins to show some concern and compassion for the children and for the workers who are so involved. It is time for this government to do something to respond to the need.

Interjection.

Mr. Cousens: I ask the member to withdraw his statement.

Mr. Speaker: I did not hear any statement. Would the member advise the chair of what was said?

Mr. Cousens: The member for Scarborough-Ellesmere (Mr. Warner) called me a hypocrite. I ask him to withdraw that, leave the House or be removed.

Mr. Speaker: Will the member for Scarborough-Ellesmere withdraw the word "hypocrite"?

Mr. Warner: I used the term "a shameless hypocrite." Which part does the member want withdrawn?

Mr. Speaker: Order. I will ask once again.

Mr. Warner: I withdraw the word "hypocrite."

Mr. Speaker: Very good. Thank you.

LA FÊTE DE LA SAINT-JEAN-BAPTISTE

M. Allen: Monsieur le Président, permettez-moi de rappeler qu'aujourd'hui, le 24 juin, c'est la Saint-Jean-Baptiste, fête nationale des Canadiens français.

Tous les Canadiens d'origine française s'unissent en ce jour, par le cœur et par l'esprit, pour exprimer leur fierté d'appartenir à ce peuple fondateur de notre pays et de notre province.

Les Canadiens français de l'Ontario préfèrent se faire appeler Franco-Ontariens. Ils veulent ainsi marquer leur attachement à la langue et à la culture de leurs ancêtres. Ils veulent en même

temps affirmer leur appartenance à la province de l'Ontario et à ses institutions.

Depuis plus de 75 ans, l'Association canadienne-française de l'Ontario travaille à faire connaître la contribution unique des Franco-Ontariennes et Franco-Ontariens et lutte avec ténacité pour faire reconnaître leurs droits.

Au nom de tous mes collègues, je me permets de remercier publiquement les francophones de cette province pour avoir su enrichir l'Ontario de ce cachet spécial qu'est l'esprit français.

À tous et à toutes, je souhaite une joyeuse fête de la Saint-Jean et je voudrais profiter de cette occasion pour souligner la présence parmi nous, dans notre galerie, de M. Serge Plouffe, président général de l'Association canadienne-française de l'Ontario.

FORMER POLICE CHIEF

Mr. Epp: Most members of this House will be familiar with the history of events surrounding Sydney Brown, the former chief of police for the Waterloo Regional Police.

Members will also know that Mr. Brown's eight-year dispute over his dismissal from his job as police chief came to an abrupt end last week. While it would be inappropriate to comment on the particulars of actions involving Mr. Brown and the courts, I do wish to indicate my pleasure that the matter has now been set to rest to the satisfaction of all parties.

The uncertainties that have accompanied this issue since 1978 have been a source of instability to police and to municipal operations in the Waterloo region. I am pleased that the burden of those uncertainties has now been removed from the shoulders of the excellent operations of the Waterloo police force and the board of commissioners of police.

Mr. Brown has had a varied and colourful career which included an attempt to find a seat in this assembly on behalf of the Progressive Conservative Party in Scarborough West in 1975. I am sure we all wish him well in his future endeavours.

Waterloo region joins all the other regional municipalities in Ontario in having only one police chief.

ALCOHOL TREATMENT CENTRE

Mr. Villeneuve: Last Thursday I asked the Minister of Health (Mr. Elston) whether he would provide emergency funding to Mount Carmel House Treatment Centre which was unable to meet its June 12 payroll. On February 25, the minister wrote to me to say that

permanent funding for Mount Carmel was being examined. Clearly, the minister has done nothing since then to rescue this facility.

The result of the Minister of Health's inaction will force eastern Ontario residents to seek treatment in the United States. Mount Carmel House has been able to provide a 42-day program at \$84 per day and at only \$20 per day for those on government assistance. By comparison, a US facility in New Hampshire provides only a 28-day program at a cost of US\$210 per day, or almost \$294 Canadian funds.

We are now in a situation where the taxpayers, through the Ontario health insurance plan, will have to pay a US facility because the minister has delayed aid to a treatment facility in Ontario. The minister knows that Mount Carmel House is the only substance abuse treatment centre in eastern Ontario and on the District Health Council of Eastern Ontario's funding list. The minister also knows that eastern Ontario residents have nowhere else to turn, that Mount Carmel House has a 75 per cent success rate and provides a two-year after care program, unlike its US counterpart.

The centre needs funding. I again urgently appeal to the minister to keep Mount Carmel House Treatment Centre open.

ACCESS TO ABORTION COMMITTEES

Ms. Gigantes: I rise with a strong sense of outrage to protest the behaviour of the Attorney General (Mr. Scott) during question period yesterday.

In response to a question posed by the leader of our party, the Attorney General purported to quote Jim Renwick, our former colleague and one of the most respected members of the Legislature. He said that Mr. Renwick, the then member for Riverdale, had said in this House: "We believe that access to abortions must be achieved within the context of law. We therefore cannot condone the establishment of illegal clinics."

The next line in Mr. Renwick's statement of June 8, 1983, reads, "We also believe that the law should be changed to protect privacy and public health and to ensure equal access." He also called on the provincial government to establish and license women's health clinics to provide abortion and other health services. The Attorney General knows a selective reading of a judgement before a court would lead to disciplinary action against the offending counsel. His selective reading of what he called the judgement of Mr. Renwick was an affront to this House. He must recognize the ethics of the profession he

now presumes to practise and apologize to this House, or resign as Attorney General.

LA FÊTE DE LA SAINT-JEAN-BAPTISTE

M. Bossy: Aujourd'hui, le 24 juin, les Canadiens et Canadiennes de langue et de culture françaises célèbrent la fête de la Saint-Jean-Baptiste.

A titre de député de Chatham-Kent, j'ai l'honneur de saluer l'apport majeur des Ontariens et Ontariennes à l'histoire du Canada en général et de l'Ontario en particulier.

Également à titre de parlementaire de langue française, je suis fier de dire que bientôt, grâce au nouveau système de traduction simultanée, tous les honorables députés de cette Assemblée pourront s'exprimer et être compris dans l'une ou l'autre des deux langues officielles du Canada.

Je suis certain que tous mes collègues, tant francophones qu'anglophones—

Mr. Speaker: The member's time has expired.

2:17 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

LEGAL AID

Hon. Mr. Scott: Today I will be introducing legislation which will mark a new beginning in equal access to justice in Ontario.

People who cannot afford the services of a lawyer, whether in civil or family law matters or when facing a criminal charge, must rely on the Ontario legal aid plan to protect the rights which our laws give to all, regardless of economic situation. If the plan does not provide full and effective access to legal services, a substantial segment of our population is denied its fundamental rights.

For years, the Ontario plan has been chronically underfunded. The report of a fact-finder appointed by the previous administration demonstrated that in 1985 fees paid to lawyers in the plan were less than one half, in constant dollars, of the level established when the plan started in 1967. Not surprisingly, many lawyers deserted the plan, and freedom of choice of counsel was being seriously eroded. Some persons, particularly those in shelters for battered women, were finding it extraordinarily difficult to obtain needed legal services.

I have made the resolution of this matter a high priority. Last December, I announced an interim 20 per cent increase to the tariff, and today I am pleased to introduce legislation which will have

the effect of increasing the tariff by a further 35 per cent.

The increase granted last December, together with the further increase I am proposing today, completes the first two steps of the report of the fact-finder. The fact-finder also recommended increases of 15 per cent for 1987 and 1988. I believe those recommendations are right, and I will do my best, within the limits of fiscal responsibility, to achieve the implementation of those increases as well.

The legislation I am introducing today is significant for another reason. It implements our part of an agreement with the Law Society of Upper Canada, pursuant to which the legal profession as a whole will begin to contribute to the cost of legal aid. Under the legislation as it now stands, lawyers who actually provide legal aid services are required to reduce their legal fees by 25 per cent as a professional contribution to legal aid. No financial contribution is made by the substantial majority of the profession who provide no legal aid services. After discussion with the law society, it has now been established and agreed that the profession as a whole has an obligation to contribute to the cost of legal aid.

Under the arrangement we have negotiated with the society, the profession as a whole will undertake the responsibility of paying 50 per cent of the administrative costs of the plan. This obligation will be phased in over the next two years. This will mean a contribution by each lawyer of roughly \$175, together with an agreed-upon reduction of up to five per cent from accounts, which will by 1988 constitute an annual contribution of roughly \$7 million by all lawyers in the province.

The law society, supported by the Ontario division of the Canadian Bar Association, has demonstrated significant leadership in negotiating this agreement. The society has accepted once and for all the proposition that the provision of legal aid is the responsibility of the profession as a whole. In so doing, it has demonstrated that it is in the public interest that it continue to administer the plan, and I contemplate no changes in that arrangement.

With the increase I am proposing today, and the commitment I have made to endeavour to implement the remainder of the fact-finder's report, I believe that we have placed legal aid on a new footing in Ontario. We have done this not for the benefit of the lawyers, but rather for the benefit of the public, and indeed for the benefit of all who enjoy the order and relative societal

harmony which result when justice is made meaningful for all.

Mr. O'Connor: Regarding the statement of the Attorney General, I find it regrettable that the government has been unable to resolve its dispute with another significant and important profession in this province, the doctors, in as amicable a way as it has with the lawyers. Why does it not try the same type of negotiation with the doctors as it has tried with the lawyers? It might just work.

The Attorney General, in the first paragraph of his statement, talks about "equal access to justice in Ontario." He talks in the last paragraph about doing this "not for the benefit of the lawyers, but rather for the benefit of the public, and indeed for the benefit of all."

A very significant way in which the Attorney General could benefit the public in its access to its legal system would be by supporting this party's bill on paralegal agents this Thursday morning.

He talks of those who are unable to afford the services of a lawyer. There is a very easy way to resolve that difficulty. He has indicated to me that he will be bringing in a bill similar to our bill in due course. Why not short-circuit the system? Why not support the bill on Thursday morning? Let him send it to committee for the amendments he thinks are necessary and thus assist in his desire, as set out in this statement, to benefit the public.

Ms. Gigantes: Concerning the statement by the Attorney General on the legal aid tariff, the Conservatives are trying to be provocative again. It seems to me they are suggesting that the doctors contribute to the Ontario health insurance plan. That would please their friends, I am sure.

The Attorney General's announcement is welcome in spite of the fact it is not good enough. It has not met the recommendations of the fact-finder. It certainly makes sense, as he proposes, not to tax those who provide legal aid, but he is still requiring a five per cent contribution from them. Instead of requiring contributions from all lawyers, he should use the progressive tax system to fund our legal aid plan.

WATER QUALITY

Hon. Mr. Bradley: Today I am pleased to table Ontario's white paper entitled Municipal-Industrial Strategy for Abatement, or MISA.

MISA is a program designed to turn the tide against the contamination of our province's waterways. Loadings will be systematically reduced, with the ultimate goal being the virtual

elimination of persistent toxic substances from discharges into our waterways.

This paper, and the program to reduce pollution of our waterways which it describes, is our government's long-term response to last summer's Dow Chemical spill and the subsequent finding of dioxin in nearby waters. That experience underlined to me both the value of prevention and the need to stop pollution at the source.

As my ministry brought its resources to bear on the problems along the St. Clair-Detroit rivers system, it soon became clear that we did not know precisely what our industries were putting into the river, nor were we adequately controlling it.

MISA is a province-wide program of abatement of discharges into our lakes and rivers based on rigorous monitoring and standard setting. The first industrial sectors to participate are petroleum refining and organic chemical manufacturing. However, all the major polluters in the Chemical Valley will be covered early on.

Water pollution control to date in Ontario has regulated only a limited number of conventional contaminants, yet scores of persistent toxic substances—some thought able to cause cancer or birth defects—are of prime concern today. These toxic contaminants of concern include organic chemicals such as dioxins, polychlorinated biphenyls and chlorinated benzenes. These chemicals are not adequately addressed by the present water pollution control program.

Furthermore, the current program's major criterion governing industrial waste water discharges is the concentration of the pollutant. In other words, if one dilutes, one can pollute. That system was up to date several decades ago but is inadequate now, and I am replacing it with the MISA system.

There are five important features to MISA:

First, pollution reductions will be required from virtually every major toxic polluter of Ontario waterways, including eight industry sectors that comprise some 200 of Ontario's 300 direct dischargers. These sectors are: electric power generation, industrial minerals, inorganic minerals, iron and steel, metal mining and refining, organic chemicals, petroleum refining and pulp and paper.

Second, in addition to reducing pollution from direct dischargers, MISA will also cut contamination from the 11,700 other industries. These companies discharge waste water into Ontario's 400 municipal sewer systems which, in turn, pass this into our waterways. This will be

accomplished by setting strict pollution control standards for municipal sewage plant effluent.

Third, a cap on the absolute amount of contaminants each source may discharge will be established for the first time in Ontario.

Fourth, each direct discharger must meet standards attainable by the best available abatement technology.

Fifth, each industrial and municipal sector will be periodically re-examined to see whether further reductions are appropriate. When re-examinations find better technology has been developed, or industry abatement standards have improved, or a receiving body of water is suffering, new and lower limits will be imposed.

With the speed of technological advancement, I expect most industries' effluent standards will be reduced each re-examination cycle. The length of this cycle has not yet been determined, and we will seek advice from interested parties and the general public.

We will implement the MISA program with two new sets of regulations, setting monitoring requirements and effluent limits. The monitoring regulations will require each industry to analyse its own effluent for a wide range of contaminants. This self-monitoring program will be policed by the ministry. Spot testing will ensure that industry sampling results are accurate and representative.

The comprehensive data from this monitoring will show the exact nature of the toxic pollution problem in Ontario waterways. Once a comprehensive database has been accumulated and analysed, we will be able to set limits for each substance of concern for each sector. All the members of the sector will be required to meet standards achievable by the best available technology. These standards will be set out in new regulations under the Ontario Water Resources Act and the Environmental Protection Act.

This white paper contains a definite timetable for the stage-by-stage implementation of MISA. Currently, we are in the consultation phase with the petroleum and organic chemical industries. We will be in discussions with the other industries on a priority basis.

The first monitoring regulations, for the petroleum and organic chemical industries, will be in effect in mid-1987. Information sharing and co-operative monitoring with these groups is already under way. By 1988, we will be phasing in the first new abatement regulations for industries. By 1989, we will introduce abatement regulations for municipal sewer discharges.

We will hold pre-regulation consultations with the affected industries and municipalities. I also want to involve the general public and interest groups in the MISA development process. I invite public review and comment on this white paper for the next 60 days. At the end of this period we will draft the first set of regulations, working with technical and advisory committees, including members from municipalities, industries, interest groups and Environment Canada.

This white paper is a consultative process. We are openly stating what we expect the MISA program to accomplish and we are asking for constructive advice. I believe that the people, industries and environmental groups of Ontario can all contribute to this process of protecting our drinking and recreational waters.

Ms. Fish: It is always a pleasure to have the formal appendix to the Toronto Star tabled in the House come the opening of ministerial statements. However, apart from that, as the single-most-noted action by the Minister of the Environment, it typifies and continues his profile of being all talk and no action.

This is all talk. It is a discussion document with vague deadlines that look to 1988 and 1989. What action has the minister taken on municipal-industrial abatement and enforcement? A year ago an 85-member enforcement branch was established in the ministry, which he slashed to 63. The supports and government grants that were given for municipal waste treatment were slashed. The suggestion is: "Let us get some money from the feds. Let us improve things in some industries."

The key is for this minister to stand up and be counted. He should bring in the regulations, the money promised to the municipalities and action against industries. More action; no more talk.

Mrs. Grier: For 10 years the members of this party have been calling for strong action to reduce pollution in Ontario's waterways. We did not get any from the previous government, and we welcome the statement that has been made by the Minister of the Environment today. We will, of course, have to look with great care at the details of the program.

We have some regrets, however. We regret that it is not going to be until mid-1987 that we see some of this action. We want to point out to the minister that at this time one third of the industries on the Great Lakes do not meet his existing, very weak standards. He has to take some action against them before 1987.

We regret that, when inflation is taken into account, the spending estimates of his ministry reflect a decrease in actual spending on the environment, a decrease that does not, in our opinion, reflect the priorities of the people of this province or, indeed, the good intentions of the minister. We point out to the minister that while today may be a good first step, a second step is very necessary, and that is legislation to increase the fines for those people who persist in ignoring the regulations.

In conclusion, we welcome what is a good beginning. There is a lot more to be done, and we plan to keep on top of it and to criticize every step of the way.

RACE RELATIONS

Hon. Mr. Curling: On May 28, 1986, the Premier (Mr. Peterson) announced the government of Ontario's policy statement on race relations. At that time, my colleague the Attorney General (Mr. Scott) outlined several initiatives that demonstrate the government's strong commitment to that policy.

As minister responsible for the Ontario Housing Corp., I wish today to inform the members of the Legislature of the plan of action I have initiated to improve race relations within our housing projects, initially within the Metropolitan Toronto area.

The Metro Toronto Housing Authority serves as landlord to 90,000 tenants, a population as great as the population of Sudbury. Our tenants represent a wide and diverse variety of backgrounds and present equally diverse social, recreational and cultural needs. It is incumbent upon the Ontario Housing Corp. and the Metro Toronto Housing Authority to meet those needs with flexibility and sensitivity.

Members of the minority groups, together with human rights organizations across Ontario, have expressed concerns about the racial climate in some of the Metro Toronto projects. Under the previous government, a cabinet committee on race relations studied the most effective ways of improving that climate. Building on the initial report of that committee, this government has completed a fully comprehensive race relations policy for Ontario Housing projects in Metropolitan Toronto, and today I wish to outline the details of that policy.

The first, and most important, initiative is the appointment of a director of race relations policies and programs whose primary mandate will be to promote an environment of harmony, co-operation and mutual understanding among

the residents of the Metro Toronto Housing Authority. This position has already been advertised and should be filled in the next few weeks.

This individual will serve as a catalyst, drawing on the strengths and resources of both the professional resource people already serving the residents of MTHA and the residents themselves. The director will move immediately to develop a race relations policy statement that reflects the views of the tenants and local community organizations, and then to implement that policy statement in constructive and meaningful ways.

The director will also chair a committee of tenants, community representatives and housing authority staff, a committee whose main goal will be to find ways to minimize racial strife in our Metro Toronto housing projects.

In addition to the responsibilities I have described, the new director of race relations will: (a) work with housing authority staff to find ways to improve communications and eliminate misunderstandings between tenants and maintenance staff; (b) explore methods of recruiting multilingual and racial minority staff; (c) develop and implement cross-cultural training for housing authority maintenance workers; (d) review the housing authority's communications policy with a view to improving the image of public housing; and (e) produce a handbook describing all housing authority projects available, to reduce any perception that residents are "streamed" to certain projects on the basis of race.

From the lengthy description of the responsibilities of the new director of race relations policies and programs that I have provided, members will see that the appointment of this individual represents a major commitment on the part of my ministry, and of the government as a whole, to take concrete steps to improve the overall climate within our Metro Toronto housing projects.

The appointment of the director is intended to send out a clear and unequivocal message that neither the Ontario government, the Ministry of Housing, the Ontario Housing Corp. nor the Metropolitan Toronto Housing Authority will tolerate racism in any form in our housing projects.

The government is currently putting in place additional initiatives to support this policy.

Community relations workers employed by the Metro Toronto Housing Authority will be trained to improve race relations, to mediate racial conflicts and to help residents form tenant organizations for the purpose of improving

communications among all residents. Further, we are taking significant steps to ensure that the 58 local housing authorities responsible for managing Ontario Housing Corp.'s 84,000 units across Ontario reflect the real makeup of Ontario's population.

The housing authority members are appointed by all three levels of government.

I have requested that the Honourable William McKnight, the federal minister responsible for Canada Mortgage and Housing Corp., and all of Ontario's municipal councils begin now to ensure that the membership of Ontario's housing authorities accurately represents the people of this province. I am encouraging all three levels of government to nominate individuals who are distinguished by suitable qualifications as well as by a variety of social and cultural backgrounds. In addition, I am requesting that OHC tenants themselves be represented on the housing authorities.

Another important challenge is to ensure that Ontario Housing Corp. tenants are fully familiar with the cultural, social, recreational and educational programs that this government's ministries provide. In order to take advantage of such outstanding programs as Futures, the moms-and-tots program and many others, residents must be aware of those programs. To ensure that all available programs and services are accessible to MTHA tenants, particularly those services that can contribute to a positive race relations climate, my staff will work with other provincial ministries.

Unemployment is a major problem for our tenants, particularly for the young people. As part of today's initiative we will be developing ways to target young residents for Ontario youth employment and job training programs, and the housing authority itself will increase its efforts to hire young residents through job creation programs.

We are all aware of the importance of positive relations between the police force and the residents of the Metro Toronto Housing Authority. Our strategy is to build on the excellent relations that already exist between these two groups to expand existing programs such as the Vertical Watch program, modelled on the Neighbourhood Watch program; recreation and sports programs shared by young residents and members of the security forces; the community-based sensitization program; and joint tenant-police security committees.

As Minister of Housing, I have initiated a major overall review of the Ontario Housing

Corp. policies and practices. Later this year I will report in detail on the measures we will undertake to make OHC more sensitive to the needs of the people it serves.

This work is being spearheaded by David Greenspan, who is in the audience today, the recently appointed chairman of the Ontario Housing Corp., and his board of directors, with the able assistance of Len Pitura, my assistant deputy minister for social housing, and his staff.

I am determined that the climate of Ontario's social housing projects reflect this government's respect for all the people of Ontario and for the wealth of cultural diversity they contribute to the life of this province. Our duty is no less than to create an environment that allows every citizen to flourish and grow.

That is the goal of our policy on race relations for the Ontario Housing Corp. It is my sincere hope that this statement will mark the beginning of a new era of mutual respect and harmony for the people we serve.

Mr. Gordon: I address this to the Minister of Housing. It is "Toronto, Toronto." What happened to the rest of the province? Does the minister feel the rest of the province does not have visible minorities? Will this be as much a failure as his housing program? We have 40,000 people on waiting lists in the minister's nonprofit housing program in this province. He is not getting the houses built. Where are the foundations in Ontario today? This is all a sham.

The minister talks about the future of this province and doing something about race relations. He should do something in the other communities across Ontario.

I will read to the Minister of Housing a quote from one of the tenant groups in Metropolitan Toronto today. He will be very interested in this one.

The tenant rep says of this historic agreement that he and the Premier (Mr. Peterson) worked out: "As it turns out, the tenant reps on the rental advisory committee made agreements for the rest of the world, but the rest of the world does not think they got such a good deal. The tenants are now saying you may have agreed, but we do not agree."

Where is the minister's great, historic announcement going to go? What is going to happen to Bill 51? They are not satisfied with Bill 11 either. That is not history; that is a tragedy.

Mr. Reville: In response to the statement of the Minister of Housing, in which he outlines a race relations program in the Metro Toronto Housing Authority, let me first say bravo. Then

let me undercut that slightly by saying it is about time.

On May 28 the Attorney General (Mr. Scott) responded to some unfortunate interjections by suggesting that I myself had been an advocate for some time of improved race relations within MTHA, and I admit that. New Democrats believe that a community requires people to have control over their lives and that where racial discrimination exists, it is a denigration of the person. We will not stand for that.

It is quite a cruel irony that, even as the Minister of Housing and the Ontario Housing Corp. wake up to the fact that race relations need to be improved in their projects and that the community must be built, we have seated in the member's gallery today some Metropolitan Toronto Children's Aid Society workers who are being asked to make the Hobson's choice of a fair wage and community work programs. The Minister of Housing may want to send his statement two places down to the Minister of Community and Social Services (Mr. Sweeney) so that this terrible choice does not have to be made.

There are some things that are not covered in this statement. I think the minister will want to look at the tenant placement policy, because it has been thought for many years that there was racial decision-making in terms of where tenants go, in which projects and in which sections of which projects. I do not see that point addressed.

The very important point of police-community relations has been raised. There are also implications for the relationship between police-community relations and the internal security of Ontario Housing Corp. projects. A good deal of work still needs to be done in that area, because quite often it is thought that some of the crime in OHC projects is police-caused crime and is the OHC-security-officials-caused crime; and that must stop.

LA FÊTE DE LA SAINT-JEAN-BAPTISTE

L'hon. M. Peterson: Comme nous le savons tous, c'est aujourd'hui un jour de fête pour tous les Canadiens français, en commençant par la communauté franco-ontarienne, qui regroupe plus de 500,000 personnes en Ontario. C'est également un jour férié pour tous nos voisins du Québec, qui fêtent aujourd'hui la Saint-Jean-Baptiste.

J'aimerais saisir cette occasion pour transmettre les meilleurs vœux du gouvernement de

l'Ontario à tous les francophones et à tous nos amis du Québec.

J'en profite également pour exprimer de nouveau notre volonté de renforcer les relations qui lient nos deux plus grandes provinces et nos deux principaux groupes linguistiques.

Les Canadiens profitent considérablement de la coexistence fertile des peuples fondateurs et ils l'apprécient d'autant plus qu'ils s'appliquent à y travailler.

L'occasion nous est donnée, aujourd'hui, de penser à redoubler nos efforts afin de nous assurer un avenir où régneront l'unité et l'égalité.

Je voudrais présenter à la Législature certains membres de l'Association canadienne-française de l'Ontario qui sont ici, aujourd'hui. Bienvenue à tous.

Hon. Mr. Nixon: Mr. Speaker, if it is the wish of other members to recognize St. Jean Baptiste Day, perhaps we could do that without including it in the time for opposition parties' responses.

Mr. Speaker: I recognize the suggestion by the government House leader. Is that agreed to by all members of the House?

Agreed to.

M. Guindon: Il me fait plaisir de me lever, au nom de mon parti et en mon nom personnel et aussi en celui des gens de Cornwall, pour ajouter mes vœux de la Saint-Jean à ceux du premier ministre (M. Peterson) et des autres membres de cette Chambre.

La langue de Molière a souffert pendant des années, partout au Canada, et je dois dire qu'on a toujours su la garder et se battre et être fier. Dans le passé, nos ancêtres ont travaillé très fort et se sont imposé de nombreux sacrifices afin de garder notre fierté, notre langue et notre culture. Aujourd'hui, la preuve de notre travail ardu est devant nous: c'est que nous avons deux projets de loi pour les francophones, devant cette Législature, qui amélioreront notre position.

Avant de terminer, j'ajouterai que le futur des Franco-Ontariens et des francophones appartient aux jeunes de notre province et c'est à eux, quand nous, plus âgés, serons obligés de l'abandonner, que reviendra la tâche d'épauler nos projets et de lutter continuellement. Car la seule façon de garder la langue et la culture, c'est en luttant, et les générations à venir devront porter le flambeau pour garder la tradition.

Comme diraient les gens de Cornwall: soyons tous franco-fiers, et bonne fête de la Saint-Jean.

M. Rae: De la part de notre parti, comme l'a déjà fait mon collègue le député de Hamilton West (M. Allen), j'aimerais féliciter la commun-

auté franco-ontarienne, et aussi la population québécoise et la population canadienne-française partout au Canada, à l'occasion de l'importante célébration de la fête de la Saint-Jean-Baptiste.

Nous avons fait bien du progrès depuis 20 ans pour créer une unité canadienne qui est beaucoup plus large et plus profonde que l'unité qui existait avant, et c'est dans cet esprit d'unité et d'égalité que je veux exprimer, au nom de mon parti, le sens profond que nous lui accordons. C'est par le progrès que nous avons fait, et par la législation et l'enchâssement de droits dans la Constitution, que nous allons enfin faire reconnaître l'importance de l'identité biculturelle, multiculturelle, bilingue, multilingue et multiraciale de notre pays.

Aujourd'hui, nous célébrons surtout la communauté francophone, la communauté canadienne-française, qui est une communauté fondatrice de notre pays et de notre province.

Mr. Speaker: I understood that the suggestion was for representatives of the other parties to make comments. What is the wish of the House?

Mr. Harris: Obviously, we are not going to object to one more round. We did not use all the time for statements yesterday. The reason for the one more round is that the government ran out of time in its 20 minutes for statements. That was because it made speeches, not statements.

Interjections.

Mr. Speaker: Order. Is it the wish of the House to have three more? It is not.

COMMITTEE CLERK

Mr. R. F. Johnston: On a point of privilege, Mr. Speaker: Yesterday I abused my privileges and the privileges of the members of the House when I was reporting and speaking on Bill 30. Although I was much praised for my work as the committee chairman, I did the unforgivable and forgot to thank Lynn Mellor, the clerk of the committee, and her staff for all their hard work. If I had gone without saying that, I would be persona non grata in many places in this building.

2:52 p.m.

ORAL QUESTIONS

EXTRA BILLING

Mr. Grossman: My question is for the Premier. The Premier must now, finally, be getting concerned about what is clear evidence of total chaos in the health care system. The situation we have today is as follows:

Many emergency wards are effectively closed; dentists in hospitals have withdrawn services; therapeutic abortions are no longer available in

seven or eight hospitals; pharmacists are very unhappy with the government's activities; the American Society of Travel Agents is reportedly considering advising Americans not to come to Ontario; Ontario travellers will no longer have the opportunity to have their Ontario health insurance plan cards accepted in Quebec, Alberta and British Columbia; and today two more hospitals in Toronto have indicated they are likely to stop admitting new patients.

Last evening the Premier met with Dr. Railton and others to try to end this total chaos in the system, to attempt, as the Premier said, to begin to pick up the pieces. Dr. Railton said, "The sanctions are escalating and it is going to happen all across the province." What is the Premier going to do now?

Hon. Mr. Peterson: As the member knows, we are on top of the situation. The Minister of Health (Mr. Elston) has been discussing this matter with a number of others. We had a meeting with Dr. Railton, Dr. Moran and Mr. Trevino yesterday. I am sorry I cannot report that it was productive in a direct sense, but we are in the process of attempting to address some of the concerns raised by the doctors in this discussion with respect to their professional freedoms. In that regard, my colleague has written Dr. Railton today to express his views on the situation.

Mr. Grossman: The fact is that as a result of a meeting the Premier had last night, the sanctions are escalating, as Dr. Railton indicated they would, and his olive branch at too late a stage is looked upon with so much proper scepticism that he has continuing and catapulting chaos across the system.

Will the Premier consider an option? We suggest a five-point program to succeed in getting the doctors back to work: (1) Recognize the need for a cooling-off period; (2) appoint an independent mediator; (3) allow the doctors time to proceed with their court action; (4) during this cooling-off period, delay implementation of Bill 94 for 60 to 90 days; and (5) the doctors will thus immediately end their sanctions upon acceptance of this program and the appointment of an independent mediator.

May I ask the Premier today to consider this as a clearly responsible option to get the doctors back to work and to stop the chaos we are seeing throughout the system?

Hon. Mr. Peterson: We have discussed all these items on numerous occasions in this House. My colleague announced yesterday that we were prepared to expedite the court reference or challenge, whichever method the Ontario Medi-

cal Association prefers. My colleague the Attorney General (Mr. Scott) is prepared to expedite it very quickly.

The member has raised a number of other points we have discussed before. Mediate? Mediate what? Mediate the principle of the bill? Back off on the principle of the bill? If that is what he is asking, and he has to be very clear on that, then the answer is that the bill is now the law of the land. I am sure my honourable colleague opposite understands that.

If he is asking me to bring in a third party to discuss the questions of liberty and freedoms, we will be very happy to do that. Indeed, my colleague the Minister of Health made that offer to Dr. Railton today. If he wishes, I will be very happy to read him a copy of that letter.

There are a number of things, in the judgement of the OMA, on which a third party could assist us in coming to some consensus. We are looking for that consensus. We have said before that we are looking at issues of compensation, freedom and others that have been raised. I remind the member that the OMA has always said this fight was about liberties and freedoms. I am saying to them that we are very happy to discuss them in any form they would like.

Mr. Grossman: I remind the Premier that he has no credibility when he approaches the doctors and suggests he is prepared to guarantee anything to them. The doctors had a guarantee of their freedom to opt out and extra bill enshrined in legislation before the Premier came to office. As a result of his determination to take away that freedom, the legal guarantee was worth nothing, as are his further guarantees.

Given that we now have all sorts of strife in the system and that he refused to appoint a mediator when a mediator would have been able to avoid this strife, will the Premier explain to this House why, now that he has decided to bring in a mediator, he would not invite the OMA to expand the terms of reference for that mediator for 60 or 90 days only to talk about Bill 94 as well and to see whether there is an opportunity to get the doctors back to work tomorrow? What has he to lose by doing that?

Hon. Mr. Peterson: My honourable friend opposite refers to credibility. I say very frankly that the OMA does not like what we have done, but when we say something, it takes it at face value. That is not the case with respect to the member. He should hear the things they say about him and about dealing with him.

Mr. Breaugh: Be more specific.

Mr. McClellan: Give us some specifics.

Mr. Speaker: Order.

3 p.m.

Hon. Mr. Peterson: Mr. Speaker would rule me out of order. I have a limited time to answer, so I will not get into those questions.

It would be misleading if we said we could hang on to this thing for a month, two months, three months or whatever, because then the discussion we are having today would come around proclamation or the end of the suspension period. I do not think it is fair to mislead people about the intentions of the government. We said we wanted to stop extra billing and we have done so, but we have also said that many other issues have been raised in the discussions. We have approached them with an open mind. We are prepared to discuss these things.

As I said on Friday, Dr. John Evans is ready to look into these matters about freedom. The OMA can participate in creating the terms of reference for Dr. Evans. If it wants to address the freedom issue, the capping of income and other things, we will be happy to have its advice or anyone else's advice. If it is not happy with Dr. Evans and if there is someone else who can assist in working out these questions about freedom, we will be happy to do that.

However, I say again to my colleague that if he is asking the government to back off, to withdraw Bill 94 and not to end extra billing, the answer is no.

Mr. Grossman: The Premier is prepared to discuss everything with the doctors except the reasons they are on strike, except the cause of the strike. He is prepared to discuss everything else.

ABORTION CLINIC

Mr. Grossman: Will the Premier not express some concern this afternoon about the increase in the number of abortions being performed at the Morgentaler Clinic?

Hon. Mr. Peterson: With respect to the honourable member's preamble, he suggested the reasons the doctors are on strike are not in the bill. Is he suggesting that the doctors are on strike because of money issues? Is that what he is saying? If it is freedom, we are prepared to discuss it. Bill 94 deals only with financial issues. If the member is saying they are striking only for money, I can tell them his view on the subject.

Mr. Grossman: I said the Premier would not discuss Bill 94. He was not listening.

Mr. Speaker: Order.

Hon. Mr. Peterson: With respect to the abortions going on in the so-called clinic, my colleague discussed this question yesterday. In our view, they are not legal and should not be going on.

Mr. Grossman: If ever the Premier proved the case for a mediator, it was in his response a moment ago. He believes Bill 94 is about money and doctors' incomes. The doctors have been telling him the opposite. He has made himself academic to the process.

A moment ago the Premier refused to answer the question as to whether he was concerned about the increase in the number of abortions at the Morgentaler Clinic. I invite him to address that while he answers my supplementary question, and that is whether he can confirm the rumour we read in the papers, from sources in the office of the Attorney General (Mr. Scott), that as a result of the increased number of abortions occurring in the Morgentaler Clinic because of the strike, the Attorney General will not be bringing charges against the clinics.

Hon. Mr. Peterson: I cannot confirm the rumour. As I understand it, the police lay the charges. They are the ones who investigate these matters. The member will not ask us to interfere in a police investigation.

Mr. Grossman: Is the Premier now taking the attitude that the Attorney General has nothing to do with the prosecution of the Morgentaler Clinic? The Attorney General has been asked these questions and he has been answering them. He and his predecessors have all taken responsibility for the circumstances surrounding the charges, the decisions with regard to the charges and the appeal of the acquittals. Now the Premier is trying to wash his hands of the situation.

It is clear that the number of abortions at the Morgentaler Clinic is increasing. It is clear that the Attorney General, and it is his responsibility, has decided not to press charges just now because the defense of necessity may well be upheld as a result of the doctors' strike. Is the Premier telling the people of this province that they have the choice of not having an abortion, since they are not available at many hospitals in the province because of the strike, or of going to the Morgentaler Clinic? What other options do they have?

Hon. Mr. Peterson: I am not telling them to do either of the two. If the member is suggesting that the Premier tell the Attorney General when to tell the police to lay charges, we do not run the

government like that. He may have. If he is suggesting to me that the Premier should instruct the Attorney General to instruct the police to lay charges, that is not the kind of government I want in this province.

Mr. Grossman: He has answered flippantly. The Attorney General runs away from it and the Premier runs away from it.

Mr. Speaker: Order. Will the Leader of the Opposition take his seat.

EXTRA BILLING

Mr. Rae: I have a question for the Attorney General. To the best of my knowledge, the Attorney General has not made any statement in the House as to what is the law in Ontario with respect to the provision of medical services, the Public Hospitals Act and the Health Disciplines Act. The public is entitled to some answers.

In the Attorney General's view, can a member of a hospital staff who is attached to an emergency ward inform the administrator of the hospital, with eight hours' notice, that he or she is leaving that post for an indefinite period without finding a substitute, there being one doctor taking the place of as many as 10, 12 or 15 doctors? Is it his view that this is in conformity with the Public Hospitals Act and with the Health Disciplines Act? What does he intend to do to see that the law is enforced in Ontario?

Hon. Mr. Scott: As the honourable member knows, the Health Disciplines Act establishes offences that are tried by the disciplinary tribunal of the College of Physicians and Surgeons of Ontario, in this case under the general rubric of professional misconduct. Professional misconduct is defined in the regulation under a number of headings. The college, which has the primary obligation to interpret these regulations, has said, I believe, that for a doctor to close a hospital, to close an emergency service or to fail to provide emergency services, would be professional misconduct. As I understand it, that is the view of the college, which has the primary responsibility of making that interpretation and then applying it to the facts.

I see no reason to disagree with that conclusion, but I will examine it. If I come to a different view, I will let the member know.

Mr. Rae: I am amazed that after this period of two weeks, the Attorney General has not brought to the attention of the Minister of Health (Mr. Elston) section 49 of the Health Disciplines Act, which says, "In addition to his powers and duties...the minister may...(b) request the council to undertake activities that, in the opinion of

the minister, are necessary and advisable to carry out the intent of this act."

I am also astonished that the Attorney General has not drawn to the attention of the minister subsection 66(1) of the act, which says, "Where it appears to the college that any person does not comply with any provision of this part or the regulations...the college may apply to a judge of the High Court for an order directing such person to comply with such provision."

At some point the law has to be clear and has to be enforced. We are asking the Attorney General for a statement as to what the law is and what the rights of patients and the obligations of the college are. So far we have had nothing but gobbledegook from every minister of this government, including the Premier (Mr. Peterson), as to what the law is.

What is the law and when is it going to be enforced in Ontario?

Hon. Mr. Scott: I gave the member an answer to his first question. He may not like it, but he asked for my opinion about the law. He may disagree with it; he may even be right, but he asked for my opinion of the law. I said that under the Health Disciplines Act, the college is the primary judge of whether there is professional misconduct. It makes that judgement in the course of a disciplinary hearing. It has given a preliminary view of conduct that might be adjudged to be professional misconduct. I do not disagree with the conclusion it has come to, although as the minister pointed out yesterday, it must be applied in concrete circumstances.

If the member wants to know the rights of the college, he has only to refer to the last section he read, which says what the college may do. It is perfectly plain that is the entitlement of the college and that if the college wishes to make that application, it can do so. It is not necessary to bring these sections to the attention of the Minister of Health. He is quite familiar with them, as are other members of the executive council.

3:10 p.m.

Mr. Rae: The college said last week that no teaching hospital's emergency ward could be closed. It stated that categorically in its letter. As soon as that letter was written, we learned that the emergency ward at Mount Sinai Hospital had been closed indefinitely. That information and the information provided by the Ministry of Health with respect to what services are closed was confirmed for me at 12:30 p.m. The people of this province are entitled to know when the College of Physicians and Surgeons of Ontario is

going to do its job. When is it going to enforce the law as it has itself interpreted that law?

If the college is not prepared to enforce the law, when is the Attorney General, who is supposed to be the chief law officer of this province, going to do his job and sit down with the Ministry of Health to figure out how he can get this structure working so that there is one law that applies to everybody, no matter how powerful or how well connected, and that is provided for the benefit of all the people of the province? That is the Attorney General's job.

Hon. Mr. Scott: I concede this does not make for a very good speech and I cannot make it in the loud voice my friend achieves, but the reality is that the Attorney General's job is to enforce the law. The law this Legislature has passed, and no amendments have been suggested by the member that I can recall, provides that the college will be the judge of whether professional misconduct has occurred in the case of a medical doctor. There is an elaborate process in the act, safeguarding the interests of the public and the doctor, to see that is done.

My friend may want us all to barge right through that and pretend it does not exist, but that is the scheme of a self-governing profession. My obligation is to see that it is available and that the college knows its rights; and it does.

Mr. Rae: What does one do when a self-governing profession is not governing? That is the question.

Mr. Speaker: Is that your question?

Mr. Rae: No, it is not. My question is for the Minister of Housing.

Mr. Andrewes: The member said that was the question.

Mr. Rae: I said that was the question. It is just not the question I am going to put to the Minister of Housing; that is all.

RENT REVIEW

Mr. Rae: My question for the Minister of Housing concerns our good friends, RCCI and BOCI. As this matter is debated, we will all come to learn about and love RCCI, the residential complex cost index, and BOCI, the building operating cost index. As I understand it, and we are all laymen when it comes to learning who RCCI and BOCI really are, RCCI is the amount the landlord can charge without having to go to rent review under the proposals contained in Bill 51. RCCI equals two thirds of BOCI, plus two per cent. Has everybody got that? It is two thirds

of BOCI plus two. Everyone should understand this because it is very important.

An hon. member: Did the member get this on The Journal last night?

Mr. Rae: No, I got a lot on The Journal that was not on the air and it would curl the member's hair. What they showed was Mary Poppins compared to what happened at The Journal last night.

The old figure was four per cent, not RCCI and not BOCI. With respect to the new proposals by the government of Ontario, can the minister tell us where the plus two per cent comes from? Can he confirm today that the figure that now is going to be the residential guideline is well over five per cent and not four per cent as he promised in the last election?

Hon. Mr. Curling: Let me see whether I can go through this RCCI and BOCI for the member. In the past, the rent review guidelines were tied to inflation and the consumer price index. The consumer price index has within it various things that are not relevant to rental housing or the maintenance costs, the operating costs, of rental housing. BOCI—my pronunciation is how my staff told me to say it—means the building operating cost factors are elements that are relevant to the operating of buildings.

Ms. Gigantes: What is the two per cent related to?

Hon. Mr. Curling: Bear with me a bit. With that building operating cost, they have identified 22 factors that are consistent with the cost of operating buildings. These are weighted. The formula that was agreed to by both landlords and tenants—

Mrs. Grier: Some tenants—

Hon. Mr. Curling: The member asked for an explanation and this will take some time.

Mr. Speaker: Order. If the minister can wind up in another 20 seconds, fine. If not, we will have to—

Interjections.

Mr. Speaker: Order.

Mr. Rae: I want to talk about some of BOCI's cousins.

Mr. Grossman: It is pronounced b-o-k-i.

Mr. Rae: I am sorry, but somehow I feel more comfortable with BOCI. Post-1975 apartment buildings can increase rents five per cent above the guidelines. Therefore, rents could increase 10.2 per cent. I wonder whether the minister can confirm that. A newer recent purchase of an apartment building that has accompanying high

mortgage rates resulting in a financial loss in that year could mean an increase of 10.2 per cent. Newly constructed apartment buildings are guaranteed a rate of return that could mean an increase of as much as 15.6 per cent. So-called older buildings with the chronically depressed scenario could have increases as high as 7.2 per cent.

I wonder whether the minister can confirm these figures because when I talk to my tenants, they do not understand RCCI and BOCI, but they understand that they are getting a two or three per cent increase in salary and are having to pay a 10, 15 or seven per cent increase in rent. They wonder where the heck justice went in the rent control system that they were supposed to have voted for in 1985.

Hon. Mr. Curling: The member has asked some very important questions. The important question he asked was about the four per cent. The member can tell his constituents that we will honour that four per cent. He knows that in the past the post-1975 buildings were not included. They will be included under Bill 51 as soon as it is passed. As soon as we settle down to have members of both opposition parties pass Bill 51, it will be retroactive to August 1, 1985. The member can tell his tenants we will honour that because we believe in that.

It is nice to think we can address only the four per cent increase. However, what Bill 51 has done is to look forward to the future to what we will be doing in the years 1987, 1988 and 1989. The member spoke of a guideline that has been agreed to by tenants and landlords, so that people will know there will be increases or decreases in their rents. That guideline has taken care of that. It is forward-looking legislation and a forward-looking guideline.

3:20 p.m.

Mr. Rae: It is onward and upward to 15.6 per cent; that is what it looks like to me. If this is forward looking, it is not the kind of future the tenants voted for in 1985. There is a basic question, a basic matter of principle I would like to ask the minister about. When one looks at how RCCI, at how the basic amount, the basic level is going to be calculated, can he explain where the plus two comes from? Can he confirm that is not just gravy going to the landlord? Can he tell us why the landlords' equity and potential capital gains figure nowhere in the rate of return? What tenants are being asked to do is to pay for an annual level of profitability for landlords, over and above what landlords are getting as their capital gains. It is a one-way deal for tenants.

Hon. Mr. Curling: The member asks a very important question again, which will take some time to answer. In the past, when guidelines were being applied by the previous government, they had no relevance to inflation. If inflation were at 12 per cent, the guidelines might be eight per cent. The member has not mentioned the averaging of the increase. There is a cutoff at six per cent. When inflation is above six per cent, the guideline accommodates an increase that is less than six per cent. When it is below six per cent, it will be a bit higher. In a time of high inflation, tenants are protected.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: My question is for the Premier. By way of a brief introduction to refresh his memory from last week, the Premier's conflict-of-interest guidelines state that any minister who has shares in a public corporation must either divest himself of those shares or place them in a blind trust. I believe I am quoting accurately. The guidelines also state that any such holdings must be publicly disclosed one month after taking office.

Will the Premier inform this House what action he would take if he discovered that one of his ministers was directly, in fact blatantly, in violation of these guidelines?

Hon. Mr. Peterson: I believe that every minister should conform with those guidelines. Matters have been checked. If the honourable member has some suggestion that someone has not been conforming, I would be most anxious to look at that immediately.

Mr. Brandt: In January 1986, in response to a similar question the Premier stated that "every little, tiny detail has been tied up and everything is as it should be"—this was with respect to his cabinet colleagues—"in conformity with the guidelines."

In view of that statement and his own conflict-of-interest guidelines, how could the Premier possibly allow his Minister of Northern Development and Mines (Mr. Fontaine) to own, up to March 1986, more than 36,000 shares of Golden Tiger, a mining company operating in Ontario, without publicly disclosing his holdings to the Clerk of the House and to this assembly as required, and without putting those holdings in a blind trust? What action is the Premier prepared to take?

Hon. Mr. Peterson: As I said, I am not aware of the charge the member makes today. I will investigate that immediately.

RENT REVIEW

Mr. Reville: I would like to go back to the Minister of Housing and the BOCI game because my leader had such a good time with it. The minister does not understand it; nobody understands it. People of Italian descent understand it because it is a game. Bocce is a game and bocce is a big ball.

Mr. Speaker: And the question is—

Mr. Reville: The boccino is a little ball. The little ball is the tenant, and BOCI, of course, is the big ball, the landlord. Will the minister tell the House how many times he is going to ask his colleague the Minister of Natural Resources (Mr. Kerrio) whether he can borrow an airplane to fly Mr. BOCI into communities to tell tenants they have to get hit by the big BOCI?

Hon. Mr. Curling: I do not want to be frivolous. We do not borrow planes from the Ministry of Natural Resources to do those things. I think the member really wants to hear the answer to the question. Too often when we have bills in the House, they are not understood by the people who are affected by them. I have charged my ministry and my staff to get out to the tenants and landlords so that they can understand this. Then we will have legislation that is understood by the people. We stand by the fact that it is a very good guideline, a very good bill and we feel we must sell it to the people.

I would like to get away from the rhetoric because this is a very important point on which we are moving. We have got together in the ministry. There are people working together to resolve this. I want to remind the members that this was done by tenant and landlord groups. There are people who are saying, "We are not represented in this advisory group." I can say the same thing for all of us here. I came here to represent 220,000 people in Scarborough North, but they did not all vote for me. I hope we have input from all people as we go along.

Mr. Reville: We will have input. It will depend on how many people can fit into the airplane.

I do not think the minister should stand in the House and deny that an MNR plane flew Bill Grenier into Essex South. I would like him to withdraw all this BOCI nonsense and all this RCCI nonsense and stand in his place today and tell the House that it is going to be four per cent.

Mr. Mancini: On a point of privilege, Mr. Speaker: The member for Riverdale (Mr. Reville) stated that a government plane has taken certain people to the constituency of Essex

South. I want to inform the House that the way the allegation was made seemed to imply that something improper was done.

Mr. Speaker: Order.

Mr. Mancini: Mr. Speaker, this is very important. Just as you allow them to give you a backdrop before they put their questions, it is important that I be allowed to continue.

Mr. Speaker: Order. The member got up on a point of privilege; it is not a point of privilege. Does he have a point of order? What is his point of order?

Mr. Mancini: I am trying to respond to an allegation of impropriety referring to the constituency of Essex South.

Mr. Speaker: Order. Will the member tell me very briefly what the allegation is?

Mr. Mancini: I will, sir. The member for Riverdale seemed to imply that something was wrong when someone was flown by government aircraft to the constituency of Essex South. I want to inform you, Mr. Speaker, so that the record can show, that—

Mr. Speaker: Order. Will the honourable member take his seat? He is placing his own point of view.

Mr. Reville: My supplementary question for the Minister of Housing is this: We have waited a long time in this province for rent review legislation that protects tenants. Will the minister now stand in his place and withdraw RCCI and BOCI and bring in four per cent, which will honour his promise and not break it on New Year's Day, 1987?

3:30 p.m.

Hon. Mr. Curling: Let me quickly comment on what the member stated. If there is impropriety in the hiring of the airplane, I will look into that and get back to the member. I do not think it should go on like that.

Mr. Mancini: It was a tenants' council meeting, and he was invited by the tenants.

Mr. Rae: Let the Liberal Party pay for it.

Mr. Speaker: Order.

Mr. Mancini: Steven Langdon was invited to be there too.

Mr. Rae: How does the member think we heard about the meeting? How does he think we heard about what was going on there?

Mr. Speaker: Order. Out of respect for the other members, will the member for York South (Mr. Rae) and the member for Essex South (Mr. Mancini) refrain from interjecting.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: My question is to the Premier. I want to advise him that on January 30, 1986, the Minister of Northern Development and Mines (Mr. Fontaine) made a statement to this House indicating that he had instructed his solicitors to execute his resignation from the boards of directors of lumber companies that were involved in forest management agreement negotiations, including United Sawmill Ltd. On the following day, the same minister filed disclosures to the Clerk of the House stating he had no share interest in public corporations.

I have here a document, which is the actual document filed with the office of the Clerk relative to a cabinet minister's holdings. I want to advise the Premier, and I will be more than happy to share this with him, that this document shows no indication whatever of Golden Tiger holdings, as required by the guidelines of this government and the previous government and as expected by each and every member of this House with respect to a cabinet minister's disclosures.

Is the Premier aware of the fact that his Minister of Northern Development and Mines filed a document that did not contain all the information required by law?

Hon. Mr. Peterson: I am completely unaware of the situation the member raises in this House. It is a very serious allegation he makes, and I assure him it will be dealt with extremely promptly. I will report back on the course of action I decide to take in dealing with this matter. However, I would like to know the facts, at least in a preliminary way.

Mr. Callahan: On a point of privilege, Mr. Speaker: My rights as a member have been infringed upon. As a member of the government, I stood up to ask a question, and the Speaker went to the opposition.

Interjections.

Mr. Speaker: Order. I realized after I recognized the other member that the member was trying to get the floor at that quite noisy period. I did recognize the member for Sarnia.

Mr. Brandt: Does the Premier think it is appropriate for a minister, particularly in the sensitive portfolio of Northern Development and Mines, to be involved with a company by the name of Golden Tiger, which is doing business in Ontario and is clearly identified as being involved in the mining industry? Does the

Premier not see any potential conflict in that relationship?

Hon. Mr. Peterson: Of course I do. I have never heard of this situation. The facts the member has put to me in this House today are extremely disturbing to me. I have told the member I will look into it. I want to look at the facts. At face value, the case he has put is extremely disturbing.

CHILDREN'S AID SOCIETY

Mr. R. F. Johnston: My question is to the Minister of Community and Social Services in regard to the strike of the Children's Aid Society of Metropolitan Toronto. The minister must be aware that the base subsidy to the CAS in Toronto for the past five years, through Frank Drea's policy, has only increased by 14 per cent, in comparison with the Catholic Children's Aid Society of Metropolitan Toronto increase of 34 per cent during that period.

Does the minister agree with his colleague to his left, now the Minister of Labour (Mr. Wrye), who as the critic for Community and Social Services waxed eloquent for many pages? He said such things as: "It seems to me that the policy of the government of this province is fundamentally shortsighted. By the budgetary cutbacks in the social service field and to social agencies, it has unfortunately forced them to suspend, ironically, the very preventive programs the minister spoke about."

The minister is continuing Frank Drea's policy of squeezing the CAS. Why is he doing it?

Hon. Mr. Sweeney: The honourable member is incorrect in his last statement. We are not continuing that policy.

I have to go back very briefly to 1983. At that time, it was evident to this ministry that the ratio of children in care who were the responsibility of the Metro children's aid society was decreasing while the ratio of children in care of the Catholic children's aid society and the Jewish Family and Child Service of Metropolitan Toronto was increasing. A decision was made at that time that the base budget of the Metro society would be reduced and the same amount of money would be applied to the base budget of the other two societies, simply to take account of the changing demographics. That was the reality, and the decision was made at that time to reduce the budget by \$2.8 million during four years.

Up until 1985, it was reduced by \$1.6 million. As soon as we took over the government, the \$600,000 that would have come off in 1985 was not taken off and the \$600,000 that would have

come off in 1986 was not taken off. That has not been changed. I also point out that, even with those changes, at present the Metro society is getting 60 per cent of the total children's aid budget in Metro, and it has 53 per cent of the case load.

Mr. R. F. Johnston: The minister is using the same arguments Frank Drea used when he called the Metro CAS a Cadillac program. Rather than maintaining it and bringing up the others, the minister is decreasing its capacity. Is it not a fact that during the past five years the CAS workers have borne the brunt, with only a 13 per cent increase during those five years? Is that fair? Is the minister going to use the supposed autonomy of the CAS board to keep himself out of this, even though his ministry will go in and take over the Family and Children's Services of the District of Kenora and will use budget cuts to force the preventive programs around the province to be forestalled?

Hon. Mr. Sweeney: It has to be stated clearly that the autonomy of all 51 children's aid societies across this province is not supposed; it is real. Those societies are run by independent boards of directors. The Kenora society today is also run by an independent board of directors.

The budget available to this society compared to the entire province is certainly appropriate. As a matter of fact, at present the percentage of the child population in Metro is 21 per cent. The percentage of the budget in Metro is 32 per cent. It is most appropriate.

ACID RAIN

Ms. Hart: My question is to the Minister of the Environment. In the weekend press the United States Secretary of Energy, John Herrington, was quoted as saying about acid rain that "The known problem is small" and that "There is no indication of a near-term urgency." Does the minister agree with those statements?

Hon. Mr. Bradley: Good question.

Mr. Brandt: Do not rush the answer.

Hon. Mr. Bradley: That is a good question. Interjections.

Hon. Mr. Bradley: I cannot hear for the opposition interjecting.

Mr. Speaker: Order.

3:40 p.m.

Hon. Mr. Bradley: It is a very appropriate question and members of this House of all parties, I am sure, will want to express concern about that statement, because we were under the

impression after the last summit, and because of some activity in the US House of Representatives and to a lesser degree in the US Senate, that the level of activity related to dealing with the problem of acid rain in the US was going to be somewhat higher than had been expected previous to that.

To hear a person in this position—and the member says he is the US Secretary of Energy—make a statement that it is in hand and is not the problem that many anticipated is something with which members of all parties would not agree. I am convinced our federal government, which was involved in the negotiations with the US, would not agree with that statement.

Ms. Hart: What can we do at the provincial level to help persuade our American neighbours to take their heads out of the sand?

Mr. Grossman: The minister will say that is a very good question.

Hon. Mr. Bradley: The Leader of the Opposition says it is a very good question, and I agree with him in this case.

As Canadians, we can continue to remind our American friends of the importance of this problem. For instance, we can encourage those who visit Canada from the US, particularly those who are cottagers in the Muskoka area and experience the detrimental effects of acid rain, to take the message back to the US and continue the dialogue with those who are sympathetic to abating acid rain there.

We had a major conference in Muskoka, members may recall, at which people from around the world pointed to the fact that it is a problem. Our federal counterpart, Stan Darling, who is chairman of the committee at the federal level, has on many occasions attended functions where he has brought this to the attention of the United States.

ACCESS TO ABORTION COMMITTEES

Mr. Andrewes: I want to return to a serious issue that even the member for York East (Ms. Hart) might agree is somewhat more urgent.

My question is to the Premier. The number of therapeutic abortion committees that are inoperable is growing. New cases are not being considered. Women do not have access to this service. Can the Premier tell me how Ontario women are able to gain legal access to this important health care service?

Hon. Mr. Peterson: There is no question a problem has been created as a result of the action some members of the medical profession have

taken. I do not disagree with that. However, other services are available, as the member knows. I do not stand before the member and pretend it is not a problem for some people, but I believe it is being dealt with in other facilities.

Mr. Andrewes: I want to remind the Premier that on April 2, 1985, he said in an interview: "We believe that all women must have equal access to legal therapeutic abortions. For that reason we would remove, wherever possible, barriers which restrict access."

His answer breaks that commitment. It insults the women of this province. The Premier and the Minister of Health (Mr. Elston) have told this House that essential health care services are going to be provided in spite of the strike, in spite of the activities of the doctors in the province. Why is the Premier running and hiding from this issue?

Hon. Mr. Peterson: We are not running and hiding at all. We have been very straight and forthcoming on the situation. It is not a problem with respect to abortion services only; it is a problem in other areas as well. It is a very difficult, unique situation, as the member knows. What has been happening in the past 10 days is not the normal course of events.

I think my honourable friend will have to agree that this government has made a significant number of moves to bring equal access to all health care facilities, including our northern friends and in other areas.

Mr. Grossman: We would not. The Premier has destroyed it singlehandedly.

Hon. Mr. Peterson: Let us be very fair about this situation. If the member is trying to take this particular job action and relate it to the grand problem, then I do not think he is being accurate.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question of the Minister of Labour. On May 13, 1986, at 8:15, Tim Peacock, an employee of the city of Brantford, was seriously burned. Three workers were ordered by their foreman to burn out 500-gallon cola drums with gasoline instead of diesel fuel. When it was ignited, the drum blew up and the man went some 15 to 20 feet in the air, suffering third degree burns to his hands and burns to his face, his ears and his arms.

This accident was not reported to the health and safety representative immediately; he was advised about it some eight hours later. Why did the minister's staff take the word of management that this explosion only caused minor injuries and

not investigate, even though the accident was reported some 24 hours later?

Hon. Mr. Wrye: I am aware of the general nature of that incident and the issue of whether their injuries were minor or otherwise and whether we followed the proper procedures because the injuries were not minor in nature. Those matters are being looked into.

Mr. Martel: The city of Brantford official violated the Occupational Health and Safety Act by not reporting this serious incident immediately, as he was supposed to do. Can the minister tell me why this accident was not investigated until May 26, some 13 days later, and only after phone calls from Joe Divitt from the Canadian Union of Public Employees and the local rep? Is this how the new inspection system works, or is this the swamp at its best?

Hon. Mr. Wrye: I will get back to the member as quickly as I can on the specifics of his question. I can only say, and the honourable member should know, that the health and safety division, like any other agency of government, is not perfect and is always open for second-guessing.

I suggest to the member that, in spite of what he says, the effectiveness of the division in ensuring that orders are complied with appropriately and promptly is better than it has ever been and the effectiveness of the division in ensuring, where there are substantive violations of the act and where orders are not complied with, the deterrent effect of prosecution is better than it is has ever been.

TECHNOLOGY FUND

Mr. Gillies: I have a question of the Minister of Industry, Trade and Technology. I understand the government is tabling information today regarding the Exploracom grant. I am sure the minister has had a chance to familiarize himself with it. Can he tell the House whether this grant is being made on a matching fund basis, as is suggested in the throne speech, or has some special financial arrangement been made that will see funds flowing regardless of private sector support?

Hon. Mr. O'Neil: I will be pleased to answer the question. First, the documents will be tabled later today and members will have them before the day is finished. One of the key conditions as part of that Exploracom grant is matching provincial funding. It reads, "Exploracom has no commitment to provincial participation unless this is earned through matching private sector contributions in cash or display credits."

Mr. Gillies: Is the minister aware that none of the promotional materials that have been put out to private industry by Mr. Schwartz indicate that in any way and that the financial statement shows quite clearly that it is expected that \$8.75 million will be flowed during the months of April, May and June? Is the minister further aware that, at this point, only six computer companies have expressed interest in participating in Exploracom, which would represent a very small proportion of the proposed provincial funding?

3:50 p.m.

Hon. Mr. O'Neil: The key condition was what I just stated. The member may have a list of only six, but I have a complete list here. It includes such companies as Honeywell Ltd., Xerox of Canada Ltd., Hewlett-Packard Canada Ltd., Datapoint Canada Inc., Pitney Bowes, Omnibus Computer and General Datacomm. It goes on and on, listing companies that feel this project is important enough that they are willing to take part in it.

DISMISSAL OF EMPLOYEE

Mr. Rae: I have a question of the Minister of Labour. He will no doubt be aware from discussions with his staff, and from having perused the newspaper over the past weeks and months, of the very unusual case at Consumers' Distributing and its relationship with Teamsters Local 419.

In particular, he should be aware by this time of the case of John Persaud, who was fired by Consumers' Distributing and has been involved since that time with an extremely lengthy, complicated and difficult series of proceedings in an attempt to get his job back. Consumers' Distributing has just taken a most recent decision by the Ontario Human Rights Commission not to ratify an agreement that Mr. Persaud allegedly made under duress—

Mr. Speaker: Question, please.

Mr. Rae: This case has gone to court. Can the minister tell the House what steps he intends to take to ensure that justice is done in a case where there is substantial evidence of collusion between the Teamsters and Consumers' Distributing and there have been extensive criminal charges? Mr. Persaud is still without his job and without industrial justice in Ontario.

Hon. Mr. Wrye: I am aware of the Persaud matter, as I am sure the member knows. I have had a number of discussions with my staff on this matter. I am aware of the allegations and the information that was raised in yesterday's press

reports. However, being a lawyer, my honourable friend will understand that because of where the matter is right now, it would not be appropriate to get into details of the case.

Mr. Rae: The minister's answer hardly comes as a surprise to me, because it is a cop-out and the easy way out in a case that is enormously complex.

However, consider the case of Mr. Persaud, an individual without means or income, who feels very strongly that he has been discriminated against on racial grounds. There is substantial evidence of criminal activity, both by the management of the company and by the leadership of the trade union at the time Mr. Persaud was fired. What are his legal remedies? What are the remedies of somebody who is clearly in a circumstance where he stands virtually alone and has no visible means of support and no job? Will the minister not help to cut the Gordian knot in this case?

Hon. Mr. Wrye: I am sure the member knows that Mr. Persaud is currently pursuing certain remedies. Beyond that, I do not think it would be appropriate to comment.

ACCESS TO ABORTION COMMITTEES

Ms. Gigantes: I believe I have a point of personal privilege. I do not know if the minister responsible for matters affecting the Ministry of Attorney General (Mr. Scott) is out writing an apology to this House, but I believe he should be. In any case, we have not had any response from him on the question I raised, which was the deliberate misreading of a statement on our position concerning access to abortion services in Ontario. We should have some way of requiring the minister to deal with this question. Can you advise me what to do, Mr. Speaker?

Mr. Speaker: The rules are quite clear. Any member has the right to ask any minister any question. Members have the opportunity to put any question in writing. We hope a response will come according to the time set out in the standing orders. There are many other opportunities to question the minister during the minister's estimates. Those are the times when this matter can be discussed with the minister.

Ms. Gigantes: Still on my point of privilege, Mr. Speaker—

Mr. Speaker: A point of privilege?

Ms. Gigantes: Yes. I feel our rights as members are affected here. The minister has taken the words of a man now deceased and

misread them deliberately, to create an impression which he now does not—

Mr. Speaker: Order. I believe the honourable member charged another member with deliberately misreading. I understand that is right. Will the member kindly withdraw that?

Ms. Gigantes: I do not feel that, in honesty, I can. I think the minister has deliberately—

Mr. Speaker: Order.

Interjections.

Mr. Speaker: The member used the word “deliberately.” Will she remove the word “deliberately”?

Ms. Gigantes: I did not say “misled,” I said “misread” the words of my colleague.

Mr. Speaker: That is right.

Ms. Gigantes: He did that.

Mr. Harris: On the same point, Mr. Speaker: Many of us do things deliberately, and I suggest that if somebody deliberately misreads something, that is a conscious decision. If one takes a letter, one may misread it or read what one wants into it. I am not sure that is the same as accusing the member of misleading the House. The member has a point that something was misread and that it was intentional. I am not sure that is impugning a dishonourable motive to a member.

Mr. Grossman: Let him come here and defend himself.

Mr. McClellan: You put us in a difficult position, Mr. Speaker. As my colleague the member for Nipissing (Mr. Harris) has said and I believe, my colleague was simply stating the facts. The Attorney General took a statement that was very clear and complete and read part of that statement. I believe he knew what he was doing when he read that statement, and he conveyed an entirely inaccurate sense of the position of my late colleague Jim Renwick and of this party. I think it is proper for my colleague to bring that to the attention of the House and to ask the Attorney General of this province to correct the record or at least to apologize for the slight and, I may say, for the insult.

Hon. Mr. Nixon: I might be of some assistance. I feel the matter is being expanded far beyond any intention on either side. The Attorney General very properly had examined the background of the matter and put forward the view of the late, revered Justice critic of the New Democratic Party. Both sides are correct when they say he read the part he thought was apropos of the issue before the House at the time.

The problem is in the use of the words “deliberately misreading.” It is not the same as “deliberately misleading,” even though it sounds the same, but it has a connotation of unfairness on the part of my colleague. I can assure members that was the furthest thing from his thought. I do not think there was anything unfair about it at all. Now that he is here, in spite of my best efforts to defend him, he might be able to say a word or two on his own behalf.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Scott: If I may be heard on this issue: last week, in the course of the debate, the words of Mr. Renwick in another context were used to make a point at my expense, very deftly and very effectively. I see nothing wrong with using the words of parliamentarians who have spoken in this House or elsewhere. Merely that they are deceased does not make it inappropriate.

Mr. Martel : The member stopped short of finishing the idea.

4 p.m.

Hon. Mr. Scott: The member should hold his tongue for a minute. If he wants to make a charge, he has to listen to the answer sooner or later.

The reality is that in this case I quoted a passage of a letter Mr. Renwick read to the standing committee on administration of justice. I provided a citation to the member for Scarborough East (Mr. Fulton) because he requested it. I read a complete sentence, which I said accurately reflected my views, as it does. I believed at the time and I believe now that sentence was a complete thought taken in context.

The other sentence the honourable member reads relates to the question she asked about the provision of health care services in the province. She can rely on that sentence if she pleases, but the sentence I read has to do with the illegality of abortion centres carried on in breach of the law, which I relied on to make my point. There is nothing wrong with that. It happens all the time.

I had no intention of doing, and I do not believe I did do, any injustice to the late honourable member, who, if he were here, would recognize that. I read the portion of his letter that made my point about the fact that illegal abortion clinics, carried on in breach of the Criminal Code, cannot be tolerated. I read the complete sentence. I read the whole thing.

Mr. Martel: And he said the act should be changed.

Hon. Mr. Scott: No, he was not speaking about the act. He was talking about the provision of medical services. I do not believe I have done anything wrong, but I want to make it clear that I would not have intended and I do not intend to misquote Mr. Renwick, a man who was long a friend of mine and for whose memory I have very substantial respect.

Mr. Breugh: I might be able to help a little bit here. This is a little unusual. We do not usually have the Speaker ask someone to withdraw the words "deliberately misreading." I know of no precedent anywhere that forbids one to make such an accusation. If there is such a precedent, I would be interested in hearing it.

There is no question now, after the comments of the Attorney General, that what he did yesterday was deliberate. He chose to read the words he read yesterday. There is no question about that, and it leaves us solely to decide whether we can accuse someone of misreading. That is a matter of opinion, but I hardly think the member for Ottawa Centre (Ms. Gigantes) has to withdraw anything here. It seems to me, if anything, that subsequent comments have established very clearly that the Attorney General did what he did deliberately and that, in the member's opinion, he was misreading Mr. Renwick's remarks.

I do not believe anything has to be withdrawn on any side. If the Attorney General does not choose to apologize, there is nothing we can do about that, but I do not think my colleague has said anything unparliamentary here.

Mr. Speaker: I have listened carefully. I believe this same matter was brought up during members' statements earlier in the day. While I was listening to the member for Ottawa Centre and she stated that the Attorney General was deliberately misreading, I thought she was, in effect, stating that a member was misrepresenting something. I am open to the suggestions of the House. It appears to me, after hearing the discussions on all sides, that we have certainly been hearing a number of points of view.

PETITIONS

NATUROPATHY

Mr. Ferraro: It is my privilege to present a petition on behalf of the Minister of Housing (Mr. Curling) signed by 147 people, the majority of whom are in his riding of Scarborough North. It deals with the problem concerning naturopathy and petitions the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise

their art and science to the fullest without prejudice or harassment.

Mr. Shymko: I have a petition that reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

MOTION

COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on public accounts be authorized to meet tomorrow, June 25, in the morning, following routine proceedings in the afternoon and from eight to 10:30 in the evening.

Motion agreed to.

INTRODUCTION OF BILLS

ELECTION FINANCES ACT

Hon. Mr. Nixon moved first reading of Bill 103, An Act to revise the Election Finances Reform Act and to amend Certain Other Acts respecting Election Financing.

Motion agreed to.

Hon. Mr. Nixon: I have a brief statement. I know the members would be delighted to welcome once again Donald MacDonald, the chairman of the Commission on Election Contributions and Expenses. He is sitting in the gallery and is much revered and respected.

It has been almost 11 years since election finance legislation was introduced into Ontario. The purpose of the legislation then and now is to ensure fairness, equity, openness and broad-based participation in the election process in Ontario.

It is to ensure that the financing process for elections is disclosed to the public for its judgement. In repealing the old act and introducing a new one, there are several major policy changes. Leadership contests, an integral part of our democratic system in Ontario, will now come under the purview of the act. Spending limits on

election campaigns for candidates and political parties will be introduced. Provision is made for the orderly winding down of existing constituency associations on redistribution. For the first time in Ontario, individuals may contribute to the political party of their choice by using a credit card. What a breakthrough.

Recognizing that the value of the dollar has changed in the 11 years since the bill was first enacted, reasonable adjustments have been made to monetary limits established in the act for contributions for public funding of candidates and for subsidies to auditors.

I want to express thanks to the commission for its work through the years and to its staff and counsel, who provide advice, analysis and suggestions for improving the act; to volunteers and members of the three political parties represented in the House who participated in many hours of discussion, sharing points of view in a general and philosophical way, as well as debating and fine-tuning the very specific issues that will make the act stronger.

I also want to express thanks to hundreds of volunteers who, as treasurers, chief financial officers, candidates, etc., give their time freely to make our political system work.

TOWNSHIP OF MARA ACT

Mr. McLean moved first reading of Bill Pr11, An Act respecting the Township of Mara.

Motion agreed to.

4:10 p.m.

LEGAL AID AMENDMENT ACT

Hon. Mr. Scott moved first reading of Bill 107, An Act to amend the Legal Aid Act.

Motion agreed to.

Hon. Mr. Scott: This is the bill to which I made reference in the statement earlier in the day. I was going to introduce it with a quotation from Donald MacDonald. As he has now left the gallery and as I have some difficulty with quotations, I will leave the bill as it is.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. Mr. Alexander: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said

Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following is the title of the bill to which Your Honour's assent is prayed:

Bill 30, An Act to amend the Education Act.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to this bill.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

ORDERS OF THE DAY

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

Hon. Mr. Nixon: Mr. Speaker, I am glad to tell you that I am tabling the interim answers to questions 291 and 315 in Orders and Notices [see Hansard for Wednesday, July 2].

INTERIM SUPPLY

Hon. Mr. Nixon moved resolution 6:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing July 1, 1986, and ending October 31, 1986, such payments to be charged to the proper appropriation following the voting of supply.

Hon. Mr. Nixon: This is a standard interim supply motion, which will, with the permission of the Legislature, allow the government to meet its financial obligations until the end of October. It is estimated that about \$9.2 billion will be necessary for that obligation. The period of time is more or less the standard period for interim supply, and we welcome support from all sides, since the money will go to pay for the standard responsibilities of the government, which, in general, are supported by all thoughtful members.

Mr. Shymko: I want to take this opportunity to note, following the Treasurer's remarks, that these are standard responsibilities of government that must continue after the authorization to pay the salaries of our civil servants and other necessary payments.

Mr. Haggerty: The member is not opposed to that, is he?

Mr. Shymko: Absolutely not. I am concerned that, in the regular functioning of government and in the regular allocation of moneys, we keep in mind that this should take into consideration the vast numbers of citizens who are served in various capacities. My concern is that 40 per cent of the population of Ontario is to be negatively

affected in any way by the lack of provision of services that normally flow from the equitable allocation of moneys in implementing some of our serious policies, which are the *raison d'être* for these services.

I refer to a very important responsibility and a tragic consequence for the 40 per cent of the population of Ontario that is represented by a council that advises the government on the delivery of services and on the equitable allocation of moneys affecting the lives of 40 per cent of the population of Ontario. I refer not to the citizens of this province who are of the founding nations' stock but to the various ethnocultural minorities whose concern for linguistic and cultural survival depends on the nature and wisdom of the advice given to this government through a body called an advisory council. I refer to none other than the Ontario Advisory Council on Multiculturalism and Citizenship, which advises a key and important minister and member of the executive council, namely, the Minister of Citizenship and Culture (Ms. Munro).

4:20 p.m.

I will quote the concerns of the president of that council, Stan Frolick. By the way, I would share with members the fact that he is currently hospitalized at St. Michael's Hospital. We wish him a speedy recovery so that he may continue to discharge his responsibilities effectively and responsibly. I am sure some of my honourable colleagues who know Mr. Frolick will send him a card or best wishes for a speedy recovery.

I would share the concerns affecting 40 per cent of our communities from a communiqué dated June 6, 1986. It begins with the following words: "We are, as OACMC members, faced with three serious threats to the existence of this council as such, or to a viable ability to continue to carry out its role and functions."

The very first paragraph by the president of this advisory body, representing 40 per cent of the citizens of this province, says it is faced with serious threats to its existence and to the carrying out of its role as its mandate provided when this council was established some 12 years ago.

It is of concern to me as we allocate moneys that a main, important council advising this government is about to be disbanded because it cannot fulfil its mandate, because it does not have the ability to carry out its role and function, because it is faced with serious threats to its existence. There is something wrong in a budget in the millions and billions of dollars.

I am very pleased to see the Minister without Portfolio responsible for citizenship and culture

(Mr. Ruprecht) enter this great chamber as he dialogues with the Minister of Housing (Mr. Curling). I hope he will listen for the next few minutes to the concerns of an advisory council whose services and advice are so closely related to the minister's responsibilities.

Three serious threats are described in the communiqué by the president of this council. Since we are dealing with moneys, I will refer in a major way only to the financial problem threatening the existence of the council and its civil servants, who will be paid, we hope, from the allocation of these funds from July to October.

The communiqué says the following:

"The third crisis we face is funding. First, some background information.

"The budget for fiscal year 1985-86 (ending on March 31, 1986) was \$323,100. This budget did not provide for salaries for the requested and agreed upon additions to the council's office staff, namely, that of executive co-ordinator and research consultant to replace the two positions that my predecessor, Dr. Mavis Burke, had abolished: that of executive officer...and public relations officer... I agreed with the then assistant deputy minister, Mr. Randolph Norberg, to give up a substantial part of my own remuneration and my own benefits, on condition that the two additional positions would be filled by the ministry. I kept my part of the bargain. The ministry did not. Upon taking office in June 1986, I was also unequivocally promised by the minister (and as confirmed by the assistant deputy minister) that when the new budget was set for the fiscal year 1986-87, we would, as a matter of ministry's number one priority, get sufficient funds, not only for salaries for the two long-awaited staff additions, but also to meet the added financial demands which the regional structure and rising costs for transportation, accommodations and meals of a 60-member council imposed on us. I requested an allotment of \$460,000. However, the then assistant deputy minister submitted a budget request in December 1985 for \$408,000, assuring me that if that proved to be inadequate, she would find additional funds for us. I was the last to learn, a considerable time after the budget was set in March 1986, that the council would not even be given what we had last year. In fact, our budget was drastically reduced to \$252,600!

"Moreover, the unused portion of my predecessor's salary and benefits, in the sum of \$68,800, which was sitting in the council's classified salaries account, disappeared at the

end of the 1985-86 fiscal year in March without notice to me or leave. I had been informed that moneys in a classified account could only be used for payment of classified salaries, which I therefore could not touch. In addition, the new budget of \$252,600 makes no provision whatsoever for the council president's remuneration—whether in the unclassified salaries allotment or in other departmental operating expenses (ODOE) fund.

"The Premier, on April 4, 1986," and, I am sure, with the full knowledge of the Treasurer (Mr. Nixon), "when advised of this financial problem," and I refer to a problem affecting the survival of a council representing 40 per cent of the citizens of this province, "as another predicament we now face, and that I had secured a meeting with the minister, Dr. Lily Munro, and the newly appointed deputy minister, Mr. David Silcox, for April 22, 1986, expressed his hope that the meeting would resolve the problem.

"Accompanied by a member of the executive committee, Alderman George Maroosis, I presented a very elaborate budget request for \$455,000 to the meeting, a copy of which is enclosed." I have a copy of it here. "None of the aspects of this presentation or of the funding were discussed, apart from the promise given to us that our budget would be reviewed. More than six weeks have now gone by," and we are facing now the entire summer after we recess, "without any word on this matter of financial resources for the council," and I say the survival of that council, "or, as stated, on the question of human resources. The deputy minister made a comment at the time of the meeting on April 22, 1986, to the fact that the government is practising a general policy of fiscal restraint in its spending. Facts," unfortunately, "prove otherwise.

"The subsequent budget brought down by the Treasurer of Ontario revealed a substantial windfall financial surplus.

"Here are only some of the grants and additional funding provided in May 1986 alone."

I will not list them. We all know them as members. We have heard the budget. From \$84 million to the faculty renewal to universities, one can go through the entire list.

"In the light of the above spending"—

Maybe I should refer to some of these so that we have a perspective on the survival of a council representing 40 per cent of the citizens of this province. We had \$98,000 for the historical studies series. We had \$120,000 for the CJRT-FM radio station. We had \$498,000 for English-in-the-work-place programs. We had \$820,000

for the computerization of libraries. We even had \$570,000 to renew a garage for the Royal Botanical Gardens in Hamilton. We had that money, but that council's budget was cut by almost \$100,000.

4:30 p.m.

My honourable colleagues to the left, for whose sensitivity I have the greatest respect, are on record in this House and in Hansard. For years they fought for equity in multiculturalism so that these would not just be policies expounded at political meetings, but would be delivered. I hope my colleagues, who signed the alliance and pact with the present government, will have some impact and influence in convincing the party in power to deliver on empty promises.

When I raised this question in the House, the minister asked what I was talking about. She had not even seen a copy of this communiqué, dated June 6. Today is June 24. I hope she has a copy. I sent her one with my press release so that she would at least be aware of it. This is the conclusion reached by the president: "In the light of the above spending"—referring to funding for a garage for the Royal Botanical Gardens and so on—"only one conclusion is possible as to why this council's budget suffered a severe cut.

"In addition, a comparison of our Ontario Advisory Council on Multiculturalism and Citizenship with the Council for Franco-Ontarian Affairs (which of all agencies is most closely related to our own in its aims) is very illuminating."

I hate to do this, because as responsible legislators we cannot divide and rule, pitting one minority against another in seeking responsible allocations of moneys. I compliment the minister responsible for francophone affairs (Mr. Grand-maitre) on the way he is assisting his 13-member council, the Council for Franco-Ontarian Affairs, which represents the aspirations and needs of 5.5 per cent of the population of Ontario. I will make some comparisons because it is the only council for which the mandate and similarity of obligations closely resembles that of the advisory council. I ask the members to take note.

Regarding staff, the CFOA had seven full-time staff members and the advisory council had two. Each has had one full-time person added. That makes a total of eight for the 13-member council serving 5.5 per cent of the population of Ontario and three for a 60-member council serving almost 40 per cent of the population.

Let us look at meetings. The CFOA meets once a month. The advisory council holds the

following meetings, which are held at a minimum of once a month, five regional committees, three ad hoc committees and one executive committee. A full council meeting is held not less than twice annually.

What is the budget of the two councils? In 1984-85, the CFOA had a budget of \$379,000 and the advisory council one of \$331,000, a difference of approximately \$48,000. That is not bad; there is a difference, but basically it is close. In 1985, the CFOA budget increased to \$397,000, while that of the advisory council was cut by almost \$10,000 to \$323,000. For 1986-87, the CFOA budget is \$433,000, while that of the advisory council is cut to \$252,600.

This is an interesting trend. The minister constantly assures me that there is no intention to eliminate the advisory council. However, there is strangulation; there is paralysis. No funds are allocated to make that council viable and operational. The president has to appeal to us, saying that the council is in crisis and cannot deliver its mandate. There is a gap in logic between the promise and commitment made by the minister to this House in the allocation of moneys and in understanding the operation and mandate of that council, and reality and monetary facts. I am not inventing these things; they are facts.

Because we are the critics, the estimates of the minister come before us. It is interesting that one cannot find the budget of the Ontario Advisory Council on Multiculturalism and Citizenship in the estimates. It is not listed. It is hidden somewhere in the bowels of the expenses of the administration of the minister's office. The Ontario Arts Council is there. All the other agencies and boards, and I am sure the Royal Botanical Gardens and its \$570,000 garage, can be found in the estimates, but one cannot find the budget of this advisory council. One has to look, to ask and to telephone. One has to speak to the members of the council to get them to provide that information. We cannot get it through the estimates figures published year after year and presented before the critics.

I would like to conclude with a comment on the constituency that is served by these two councils. On the one hand, there is a very positive increase in the budget of the Council for Franco-Ontarian Affairs, for which I compliment the minister responsible for francophone affairs, who is also Minister of—what is the minister's responsibility? Is it Northern Affairs? The member for Ottawa East (Mr. Grandmaître) is the responsible minister.

Mr. Ashe: It is Municipal Affairs.

Mr. Shymko: He is the Minister of Municipal Affairs.

Mr. Laughren: It is typical of that caucus not to know that.

Mr. Shymko: My apologies. We cannot know everything. At least we admit we are infallible—fallible; pardon me. Some parties are infallible. It must be divine guidance or something.

The minister responsible for francophone affairs is to be congratulated. I went to see the minister and said: "Speak to the Minister of Citizenship and Culture. Tell that minister to deliver. Show her the comparison. She does not read the communiqués from the president of the advisory council that advises her and which, I am sure, sends copies to both the minister and the deputy minister. You may be able to urge her at a cabinet meeting or privately, but somehow point out this dilemma."

The Council for Franco-Ontarian Affairs has a \$433,000 budget and 13 members serving 5.5 per cent of the population. The Advisory Council on Multiculturalism and Citizenship has almost half that budget and 60 members serving, to be exact, 39.7 per cent of the population of Ontario.

I wanted to point this out as we discussed the allocation of moneys. The previous chairman, the very capable civil servant, Dr. Mavis Burke, was seconded from the Ministry of Education to be chairman of that council. Therefore, her salary was paid by the Ministry of Education. It was not even paid through the minister's estimates or the minister's budget. Normally, when Dr. Mavis Burke left, the minister would have seen a saving of some \$60,000 or whatever. The chairman was not paid; it was another ministry that paid the chairman's salary. We now have a part-time president of the advisory council, who is receiving much less remuneration and who is expressing concern. As a matter of fact, his remuneration was not even addressed in the budget. I know the minister will be commenting or responding at some stage, whether privately, by letter or in the House.

4:40 p.m.

This is to give authority to pay the salaries of civil servants. I mentioned the so-called classified salary earlier. These two positions were asked for to help that council. It is my understanding some \$70,000 of frozen moneys for that purpose were apparently used in some other area. I know that a new government has to decorate offices. It is my understanding that the

deputy minister's office was redecorated. I do not know the colours. I have not seen his office. However, I am sure some thousands of dollars were used from the ministry's administration operations budget to redecorate the office. It may have been close to \$70,000, if not more.

I have never been a cabinet minister, so I cannot comment on the offices or on the cost and moneys allocated for redecoration that are approved in this House, sometimes through budgets, debates or concerns. I am sure that the \$70,000 to hire two important staff members, badly-needed for the survival, operation and viability of that council, was not there. However, there was enough money, some tens of thousands of dollars, to redecorate the deputy minister's office.

I am concerned. I read to this House the communiqué from the president of the council dated June 6, 1986. Some may wonder to whom it was sent. I will tell the House. That communiqué was sent to all members of the advisory council, with copies to the minister. Four days later, on June 10, 1986, the president of the advisory council wrote another memorandum to all council members. It is interesting to read what he said. He did not appeal to the council members this time, Mr. Speaker. He appealed to you, to me and to every member of this Legislature.

This is what he said: "A number of inquiries have been made by members and others for whom the fate of this council and multiculturalism generally, is of concern. Speculation of all kinds is rampant. Rumours abound. You are, therefore, entitled to have the facts placed before you."

I want to be fair to my colleagues in the New Democratic Party, but among the rumours was one that the member for Oakwood (Mr. Grande) was asked by the chairman of the standing committee on government agencies whether he could name any agency, board or commission he wished reviewed. The member indicated that he wished the Ontario Advisory Council on Multiculturalism and Citizenship to be reviewed. I believe a sunset review was done in 1984. All agencies, boards and commissions were to be reviewed every five years. In 1984, the review of that council was completed. The recommendations following the review were that the council's existence and mandate be continued for another five years because it was doing an excellent job.

That review was done. The member for Oakwood wanted a review of that council simply to get these facts out. He wanted to ask whether

the recommendations of this council were followed up by the government. He wanted to ask whether this council could survive and deliver its mandates. The member for Oakwood wanted these facts presented, probably with a call for the president of the council to appear before the committee. I compliment the member for doing this. However, rumours abounded that the member for Oakwood was used by the Minister of Citizenship and Culture or by the Minister without Portfolio responsible for citizenship and culture to axe the council.

Since the alliance and all sorts of arrangements were struck last year, people simply came to the conclusion that a member of the New Democratic Party, a very eloquent and responsible member of this Legislature, was used to eliminate the council. I spoke to the member about it and that was not his intention. I want this to be on the record and to assure anyone spreading these rumours that it was not the case. The president wrote, "Rumours abound," perhaps as they relate to the member for Oakwood.

He wrote: "As president, I believe it is my duty to inform you as fully as possible of all the events that have recently taken place and the position we now find ourselves in as a result of these various acts of commission and omission taken against the council."

The members know very well that this advisory council is at arm's length. I would not want the remarks of any member of this Legislature expressing and reading these concerns to be used in any way by the minister or the government to do unpleasant things—whatever that may mean to various members—because that council operates at arm's length and the president has the responsibility to communicate these concerns.

Do the members know to whom he appeals? As a member of this Legislature, I must read this. "It is up to you to weigh these facts, assess the situation, and if you conclude that this council deserves to continue to exist and function, in order to bring to the attention of the government of the day the 'needs, desires, aspirations and expectations'—that is from the order in council creating that body—"of ethnocultural communities in the province, and to advise it on all 'those matters which pertain to multiculturalism and citizenship development,' then you personally, and your particular ethnocultural group, organization that you belong to, and the house of worship you are associated with ought to communicate your views and concerns to the government at Queen's Park, its Premier"—and

this is the most important section—"and to your elected representative to the Legislative Assembly of Ontario."

As an institution and organization at arm's length it appeals to us, as we discuss authorization to pay the salaries of civil servants hired or to be hired or omitted, as in the case of this council, to bring these concerns to this hallowed chamber that speaks of equity, sensitivity and responsibility in delivering the services expounded in our policies, but that are sometimes not seen in action.

The president concludes, and I will shortly conclude, "The problems we face are set out in the communiqué. Enclosed also is a copy of the minister's proposals to cabinet and a sampling of some of the printed media's responses to her recommendations."

I must admit I do not have a copy of the minister's proposals to cabinet. I do have some interesting manila envelope material—occasionally this is slipped under our door—that I referred to some months ago. The auxiliary minister, the Minister without Portfolio, may be working on some proposals. Perhaps these are the proposals of the minister. I do not have any sampling of the print media's responses to her recommendations. The president says, "This material will serve as background information without which the subsequent failure to provide this council with adequate resources of both a financial and human nature to enable us to carry on with our assigned task and role might be less clear to you."

Mr. McClellan: I know the fingerprints of the member for Parkdale (Mr. Ruprecht) are on that document.

Interjections.

Mr. Breagh: On a point of order, Mr. Speaker: A wild-eyed accusation is coming from the member for Parkdale. We want to know what the accusation is. It is ferocious, but we do not know what it is.

The Deputy Speaker: When the member for Oshawa was addressing the chair, he was also facing to my right and I could not hear what he was saying.

Mr. Breagh: The Minister without Portfolio was making some curious accusations by gesture. Unfortunately, we cannot hear what the accusation is.

The Deputy Speaker: That is not a point of order.

Mr. Breagh: We want to know what the threats are.

The Deputy Speaker: Order.

4:50 p.m.

Mr. Shymko: My honourable colleague has a point, because human beings communicate verbally.

The Deputy Speaker: Order. Let us get back to the motion at hand.

Mr. Breagh: On a point of order, Mr. Speaker: I heard the member for Oxford (Mr. Treleaven) talk at some length, and nobody bothered him.

The Deputy Speaker: That is not a point of order. I believe the member for Hamilton Centre has—

Hon. Ms. Munro: I would like to respond to the honourable member's statement.

The Deputy Speaker: No.

Hon. Ms. Munro: Is he not finished?

The Deputy Speaker: No, I understand he has not yet finished.

Hon. Ms. Munro: When he is finished I would like to respond.

The Deputy Speaker: There will be questions and comments.

Mr. McClellan: The standing orders permit the minister to ask the member a question, if the member is willing to answer it.

The Deputy Speaker: The minister did not ask that. I believe she wants to make a statement. Perhaps she can do so in the 10 minutes following the comments of the member for High Park-Swansea (Mr. Shymko). Is the House leader standing up for any particular purpose? No.

Mr. Breagh: We are trying to get these wild accusations on the record.

Mr. Shymko: I will be most accommodating so as to hear a response by the minister. I have never heard any response to the numerous questions that were asked in the Legislature. I will be most pleased to conclude my remarks so the minister can address these concerns, but I do want to say one thing before I sit down.

Mr. McClellan: How come these two ministers are always in the House at the same time?

Mr. Grande: It is the buddy system.

The Deputy Speaker: Order.

Mr. Shymko: I imagine it is purely coincidental.

I want to refer to a document that has been referred to before. It is entitled, Multiculturalism: How is the Liberal Government Different! The third line says, "The Honourable Lily

Munro." The document is dated February 6, 1986.

I have referred to this document before. Perhaps the minister will answer in the light of what I have read, in the light of the concerns of the president who interprets the budgetary allocations of the council and in the light of the financial strangling of that institution, which advises the government of the day on the delivery of services to 39.7 per cent of the population of Ontario. One can count the millions of people it affects.

In that document under Program for Action, the minister—the document has on it the name "The Honourable Lily Munro"—proposes "to eliminate the existing Ontario Advisory Committee on Multiculturalism and Citizenship."

By the way, it is not a committee. There is no Ontario advisory committee; it is an Ontario advisory council, but that is irrelevant. It is irrelevant for some ministers even to know the names of the agencies that advise them. It may be a typographical error, or the auxiliary minister or whoever was preparing this for the line minister may not have been aware that it is a council and not a committee.

Point 2, Program for Action, says, "to eliminate the existing Ontario Advisory Committee on Multiculturalism and Citizenship"—meaning the council—"which has been ineffective for about three years. Replace it with a multicultural heritage advisory council to advise the minister on the direction and funding of folk art and heritage maintenance programs."

As the member for Oakwood, who follows the delivery of services in multiculturalism so diligently year after year, can attest, the recommendations from this council for the past 12 years addressed social needs, immigration needs, international policy needs, constitutional needs, labour needs, health needs and educational needs, over and above the dancing and singing needs of folk art. However, to say that action number two on the list of the new government is to eliminate the council and replace it with a body that will just deal with folk art and heritage maintenance programs is unfortunate.

I indicated this in an earlier press release. I questioned the minister on April 25, and I will remind the members of her response. She said the following: "The document to which the honourable member refers is in fact a discussion paper at the staff level. I have seen the paper. I think it is my responsibility as a minister to allow people to think and to be able to glean ideas from several items."

One of the Toronto ethnic papers—it is either *Share* or *Contrast*; I admit I am not sure—quoted an interview with the executive assistant to the minister, who said, "This document was drafted and prepared by a low-echelon Liberal."

Mr. McClellan: The member for Parkdale.

Mr. Breaugh: The member for Parkdale. I knew it.

Mr. Shymko: I do not know whether it was the auxiliary minister the executive assistant to the minister referred to, or the minister herself, since the only name that appears on this is the name of the minister.

I would never consider the minister a low-echelon Liberal. However, it is interesting that low-echelon Liberals are drafting documents, bearing the name of the minister, that say the council should be abolished, substantiated by fiscal facts and allocations of moneys pointing towards the elimination of that council.

Rumours abound because the minister refuses to answer. When she does answer, she says the following: "I am not going to discuss the content of that paper, which was transferred to the member in a brown paper envelope. If he wishes to talk to me about any issue relating to the Ontario Advisory Council on Multiculturalism and Citizenship, he is more than welcome to do it."

That is exactly what I am doing. I am discussing it publicly, since it is a public institution.

She concludes by referring to the April 22 meeting I spoke about, saying: "I met as recently as two days ago with Mr. Frolick. I am in constant contact. I do not intend to apologize to Dr. Burke because I made no insinuation to that lady." This refers to an inference that when Dr. Burke was chairman of that council it was useless.

Since December 1, 1985, the president of the council has written 12 letters to the minister. The minister acknowledged two and never responded to the other 10. That is constant communication. Since December 1, the minister went to only one meeting, on April 22. She met not just with the chairman but also with a whole slew of bureaucrats and mandarins from the office, to discuss the budget, to express concerns, to say: "We will take care of you. We will provide you with the means to represent the sentiments and feelings of 39.7 per cent of the population of Ontario."

Is that constant communication, one meeting from December 1, 1985 to April 25, 1986? That is called constant, ongoing communication.

I would like to hear a reply from the minister. A 10-minute response may be sufficient, since I do not get much of an answer. I thank the members for this opportunity to address this very important concern affecting the cultural, social, economic, educational, linguistic and other survival of 40 per cent of the people of Ontario.

The Deputy Speaker: Questions and comments? The member for Hamilton Centre.

Hon. Ms. Munro: Thank you, Mr. Speaker—

Mr. Breaugh: No. What is the matter with your eyes?

The Deputy Speaker: I am sorry. I did not see the member for Oakwood standing.

5 p.m.

Mr. Grande: I am, Mr. Speaker. I want to remind the member for High Park-Swansea, that when he talks about the Ontario Advisory Council on Multiculturalism and Citizenship, he should really address that council between the years 1972-73 and 1985, when it presented more than 100 recommendations, of which his government only accepted four or five. In essence, this meant that the government of which he was a member treated it as an useless council.

The Acting Speaker (Mr. Morin): Order.

Mr. Shymko: On a point of privilege: The member refers to me as having been a member of that council. I would like to correct the honourable member. I was the chairman of that Ontario advisory council. I do support his statement—

The Acting Speaker: Order. This is not a point of privilege.

Mr. Shymko: But it is a correction. We do not want the members to be misled in any way.

The Acting Speaker: This is not a point of privilege.

Mr. Grande: I was not talking about the member being chairman of that council. I was not even talking about membership in the council. I was talking about his being a member of a government the council was working under.

Mr. Shymko: On a point of privilege: When I was chairman of that council, I was not a member of any government.

The Acting Speaker: This is not a point of privilege.

Mr. Grande: The member leaves me only 21 seconds. I would like to ask the Minister of Citizenship and Culture not to mistreat the Ontario Advisory Council on Multiculturalism and Citizenship as did the previous administration. Please do not mistreat the ethnic communi-

ties and use them, as did the previous government.

The Acting Speaker: I would like to tell the member for Oakwood that I will give him an extra 30 seconds.

Mr. Grande: Therefore I say to the minister, without any great hurry, that to get rid of the Ontario Advisory Council on Multiculturalism and Citizenship, to replace it with other committees, or to put Liberals in place of Tories does nothing for the ethnic communities and minorities in this province. We need the acceptance of the recommendations of those people, which will benefit the ethnic communities in Ontario.

Hon. Ms. Munro: When the member for High Park-Swansea presented me with a copy of his press release, I was bewildered by the misrepresentations, not only included—

Mr. Shymko: I am being accused of misrepresentation which, in my understanding, is the same thing as misleading. I ask the honourable member to withdraw the word.

Hon. Ms. Munro: No, I think they are quite different. I said, "bewildered by the misrepresentations in the letter."

The Acting Speaker: Did you say "misrepresenting"?

Hon. Ms. Munro: "Bewildered by the misrepresentations."

The Acting Speaker: Will you withdraw this word?

Hon. Ms. Munro: Certainly.

I was bewildered by the essence of the statements contained in the member's press release and the attached statements and letters from the president of the Ontario Advisory Council on Multiculturalism and Citizenship.

I have instructed my ministry to investigate. It is a grave situation when I have concerns about the manner in which the member's words are articulated and the impact they have on a sensitive ethnic, multicultural community in Ontario. I share the member's concerns that I listen, observe and am sensitive to the current president.

I will make a formal statement in the House, but now I want to get back to some of the member's statements. Not having the statistics before me in the Legislature, I thought I had attempted to reply on June 18, 1968, which the member can read at his leisure. I also replied to the—

Mr. Shymko: We cannot read it at our leisure because Hansard was not printed that year.

Hon. Ms. Munro: I do not know if the member can read it at his leisure—

The Acting Speaker: This is not a point of order. Order. I would like to remind the member for High Park-Swansea that he has taken time which has been allocated to the minister. She is given a minute and a half, as is anybody else. Would he please refrain from making comments that are not even points of order.

I will give the Minister of Citizenship and Culture an extra 40 seconds.

Hon. Ms. Munro: I will repeat some of the statements I alluded to on June 18. The budget was not cut. The differential between \$323,000 and \$252,000 represents what the previous chairperson earned as a civil servant. The current chairperson is not a civil servant and is paid an honorarium plus expense bases from the ministry budget. There is no net effect on the operations or expenditures of the Ontario Advisory Council on Multiculturalism and Citizenship. Reappointment to the Ontario Advisory Council on Multiculturalism and Citizenship had to be made through the Office of the Premier and will be announced.

There never was \$70,000 allocated to council to hire a co-ordinator and a research assistant. However, it has been understood that when council submitted a work plan—it now has—the minister would review—

The Acting Speaker: Order, your time has expired.

Hon. Ms. Munro: I am sorry?

The Acting Speaker: Your time has expired.

Hon. Ms. Munro: Has it? I am sure you will be interested when I come up with more information.

Mr. Laughren: I am always enthralled when the member for High Park-Swansea and the Minister without Portfolio are in the chamber together and engaging in cross-fire. If one thinks about it for a moment, if one were to take the hair off the head of the member for High Park-Swansea or put hair on the head of the member for Parkdale, he would find they are clones of one another. They are clones politically, ethically and tactically. They are clones in the truest sense of the word. It is only the superficial appearance that is different. We could alter that if the members would agree to it.

Mr. Shymko: I do not need insults. Will you withdraw that statement?

Mr. McClellan: Now he will have to run for Nickel Belt.

Mr. Laughren: Are you kidding? I am glad the Treasurer is taking part in this important debate on the supply motion. I know he will understand that my remarks come straight from the heart, and he will take notes and take my advice on some of the matters.

I wanted to say to the Treasurer in particular that while we support this supply motion for all sorts of reasons, I hope he understands what is going on in Ontario, and presumably, he has access to all the significant figures that indicate how Ontario's economy is proceeding, and that he understands there are two Ontarios developing as we sit here debating this motion. The problem is not simply the growth in the Golden Horseshoe; it is the lack of growth not only in the north but also in other parts of the province.

The Acting Speaker: Your time has expired.

Mr. Laughren: I was not responding.

The Acting Speaker: This is questions and comments.

Mr. Cordiano: I have been listening to the member for High Park-Swansea and others, and I wanted to make a few comments with regard to multiculturalism and the policy this government has been following. I know the minister has been expounding on that policy in her various travels and meetings with constituents throughout the province. Multiculturalism is very well reflected by the representation we have in this House. This government takes the policy of multiculturalism, which we all take for granted, very seriously.

Mr. Laughren: The members of this House—

Mr. Cordiano: The member should wait just a moment. He should let me have a few words, and then he can say what he wants.

With regard to the policy that has been expounded, it is reflected in this government. I think the people of this province see that, because we are encouraging people from all walks of life and ethnic backgrounds to become active in this government.

5:10 p.m.

That has been done and will continue to be done in every aspect of the government. It is not good enough to set up a committee here and a committee there to look at ethnic representation with regard to the government and its boards, agencies and commissions. We are doing that. We are active at this time. I think we are following through with that. It is living proof of multiculturalism.

Mr. Shymko: I want to respond to the member for Downsview (Mr. Cordiano). Notwithstanding the democratic right of all citizens

to participate in the process of elections and to be elected to all levels of government—there are no obstacles—no doubt there are special institutions and bodies that have been created by order in council. I refer to one that was established in 1974. The member for Oakwood mentioned 1972. These institutions advise any party in power on the delivery of services for that sector of our population.

If we mandate such a body to provide advice and we provide financial assistance, budgets and allocate moneys, it is very important to make sure the increase in that budget is reflective. This is being done with comparable bodies such as the Council on Franco-Ontarian Affairs, whose budget is double that of the Ontario Advisory Council on Multiculturalism and Citizenship. The budget of the Council on Franco-Ontarian Affairs went up by almost \$100,000 while the other council was slashed by \$100,000. The Council on Franco-Ontarian Affairs represents a membership of 14 members, while the Ontario Advisory Council on Multiculturalism and Citizenship represents 60 members. One deals with 5.5 per cent of the population, notwithstanding the constitutional status of a founding nation, etc.; the other one deals with 39.7 per cent.

Any responsible government must provide some equity to these services, or at least some semblance of equity.

Mr. Laughren: Mr. Speaker, I assume we have gone beyond responses and are continuing the debate.

The Acting Speaker: Yes.

Mr. Laughren: I thought that is what I was doing the last time I was on my feet, but I was mistaken.

I was attempting to say that the Ontario economy is in a strange state. It is booming in some parts of the province and in a depressed state in others. I am thinking of eastern Ontario, northern Ontario and in some cases even the middle parts of Ontario, including the southwest. The government has some very difficult decisions to make as to how it wishes to resolve that problem, whether it wants to go with the flow and let the marketplace determine what parts of Ontario will grow and to what extent it feels it has an obligation to intervene in the way the economy is developing in this province.

Those are very difficult decisions to make because the government will be breaking new ground. I do not think I am being unfair when I say the previous government was quite fiercely committed to the marketplace to determine how the economy should develop. That is why we

have the economy we do in northern Ontario. It is resource based. The decision was very clearly made that the northern economy would develop the way the resources developed and the way they were exploited. When a resource-based community goes down the tube, that is the marketplace at work. I must say the previous government was consistent in that regard. It depended on the marketplace to determine what parts of Ontario would grow.

I have some problems with that, not just because I am a democratic socialist in my soul, but because of what that does to various parts of the province and the people who live there. With the effort that is put into making a community a worthwhile place in which to live, it is difficult to see that community go down the tube when the resource runs out. I know it is considered to be hard-nosed and entrepreneurial to take that view and say: "That is the way in which our economy operates. We live in a free market system."

The present government will have to decide whether it wants to follow the way in which the previous government allowed things to unfold or whether it will show courage and engage in some intervention.

I am not talking about radical intervention that would stand the money market in New York on its ear. I am talking about some intervention that more than anything else would fill vacuums in our system. If nature rushes to fill a vacuum, perhaps we should start thinking about government filling vacuums, when it makes sense to fill them.

I am thinking of the enormous gaps in our industrial fabric, the whole question of what we import that we could be producing here. I am thinking of machinery, electrical products and information processing. Those are all areas where there is an enormous potential for growth. If we stand on the sidelines and simply let things develop, those gaps are not going to be filled. If they have not been filled by the private sector in the past 100 years, there is no reason to expect they are going to be filled in the foreseeable future. I think of the opportunity that would exist if we did those kinds of things, if we engaged in intervention in an economic sense, through job creation, and in a social sense as well.

I can give the members a couple of examples. They are not earth-shaking or major but they are real. When the government decided to expand its tree nursery program and started putting tree nurseries in smaller communities, it had an enormous impact on those communities. One community in my constituency, called Gogama,

has a population of 400 or 500 people. At one point in the spring, when the seedlings are being lifted, 90 people can be employed in a community that size. Do members realize the impact of that on an economy in this province as small as the economy of, for example, a Gogama?

An economic need is filled. A social need is filled as well. We have to go beyond thinking that if it is an economic need it has nothing to do with filling social needs. That is simply not true. There is a very tight relationship between economic activity and filling social needs in the province.

This government has to get over the mindset, which has been in Ontario for so long, that if the marketplace does not want to do it, then obviously it does not make sense to do it or the marketplace would have done it. That simply is not a fact and members need look no further than northern Ontario to see the contradictions in that kind of argument. For example, members should take a look at the lack of reforestation in the north. The private sector did not do it. Did that mean it should not be done? Of course not.

We are realizing now that it should have been done. Governments have had to rush in and provide funds to the private sector to make sure it is done. We are subsidizing the forestry industry to an enormous degree, everything from providing seedlings to the spraying of the forests and the building of roads in the cutting limits. I hope this government will shake off that attitude, which permeates the civil service in this province, because the same people who were offering advice to the previous cabinet ministers by and large are offering advice to the cabinet ministers who are in place now.

I think of highways in northern Ontario. Would anyone dispute the fact that when Highway 401 was built it created an enormous impetus for growth all along the highway, right from one end of our province to the other? I suggest to the government that northern Ontario is crying out for that kind of development as well. Highways need to be improved and new highways built. They should be looked upon not simply as a government expenditure but as an incentive for economic development and growth in northern Ontario as well. I hope the government will come to that.

5:20 p.m.

The Minister of Citizenship and Culture was here a few minutes ago and I was thinking of the number of artists and artisans across the province. I do not think this province has brought those people together. I tried a few years ago to

have the then minister have a major showing of Ontario artists in the government buildings across the province and was unsuccessful in achieving that. In my own constituency there is virtually an artists' colony that produces some truly excellent work but which lacks an outlet. I do not think the government has done enough to promote our own artists and artisans.

Tourism is another aspect. When we talk about tourism dollars, many of us have mixed feelings. We know that the wage rates in the industry tend not to be very high. On the other hand if, as the government keeps telling us, tourism is going to be one of the major industries by the year 2000, then we had better do some planning to make sure we have the kind of tourism we want.

I am having trouble seeing the Speaker. I will try to dodge around the head of the attendant because I do want to address the Speaker. I know those are the rules of the chamber.

I keep hearing that there is an enormous opportunity in our north for tourism from Europe and that Europeans would very much like to spend time in a wilderness atmosphere, such as we have in northern Ontario. If that is the case, then it is worth planning it. It is worth investing some money to make sure that it happens in the way we want it to happen. I do not think that has been done in the past. Do not forget that all tourist dollars are new dollars that pay a very high return on investment.

I want to encourage the government to head out in some bold new directions. I am nervous about the ongoing talks concerning trade with the US. I fear that with free trade those gaps I talked about in our industrial system, such as electrical products and machinery, will never be filled. Under a free trade arrangement we will never replace those imports that should not be imports because it means moving and shaking with infant industries to make sure they happen. It means helping them in their formative years.

I am very concerned about the free trade talks because although I believe very strongly that free trade is just beautiful among equals, I do not believe we are quite the industrial equal of the US. I am nervous that the government is not being strong enough and firm enough concerning the talks that are going on between our federal government and the government of the US.

At the convention we just concluded in the beautiful city of Hamilton, the most common button seen was the one my colleague from Hamilton East (Mr. Mackenzie) is wearing right now. It says, "Free Canada; Trade Mulroney." Perhaps the Treasurer would like one of those

buttons; perhaps he should buy a bunch of those buttons and distribute them.

Hon. Mr. Nixon: I got one free.

Mr. Laughren: But will the member wear it the next time he has a meeting with the federal officials dealing with free trade? That is the question.

I will conclude my remarks by encouraging the government to shake off the fetish of the previous government that the free market would automatically make the right decisions for the people of Ontario.

Mr. Sheppard: I would like to make a few comments about the interim supply order, seeing that it has to be passed to pay the 80,000 civil servants in the province of Ontario, as well as the 20 cabinet ministers and their executive assistants who are getting much more money than those in our party got when we were in power.

There is one thing I should like to mention, and that is that the member for Hamilton Centre, the Minister of Citizenship and Culture, was in the great riding of Northumberland on Friday evening. She was in what we call Victoria Hall, which is one of the most beautiful buildings in Ontario. It is certainly one of the most marvellous buildings in Northumberland. We have Old Bailey in that hall, and when the Ombudsman was down a week ago Friday to speak to the Cobourg Rotary Club, I took him down. I wanted to show him the sunken courthouse in Victoria Hall. Anybody who comes to Cobourg wants to visit Victoria Hall and see Old Bailey, because it is based on the Old Bailey that was in London, England.

I would also like to congratulate the Minister of Citizenship and Culture beforehand, because I understand she is going to make an announcement next Wednesday about giving some money to the Barnum House historical society in Grafton. I mention that because a week ago Friday, the Wicklow Baptist Church, the oldest Baptist church in Ontario—and I understand it may have been the oldest Baptist church in all of Canada—burned to the ground. As one of the most historical churches or buildings along Highway 2 east of Grafton, it was being rebuilt and redesigned.

I would like to make a couple of other comments. I would like the Treasurer to give more money to the Minister of Agriculture and Food (Mr. Riddell). In the House, the Minister of Agriculture and Food has said the Liberal Party has donated more money than the Conservatives. Times are great right now, but times are not great for the farmers in Ontario. As our Agriculture

critic said here last week, the provinces of Alberta and Saskatchewan have given money to the farmers to help them out because the farmers are in terrible shape.

The farmers in Ontario may be in worse shape. The Treasurer should have another chat with the Minister of Agriculture and Food to try to get some more money, because there are a lot of farmers who are in desperate straits. I am afraid that this fall and next spring more farmers will be going on the welfare rolls. They may have to sell their farms, pay their debts and move. We have to have jobs for those people. It is hard for a farmer who has been farming for 50 or 60 years, because all he knows is farming. I ask the Treasurer to give more money to the Minister of Agriculture and Food before this House adjourns next week or the week after. The farmers are in desperate need.

Mr. Wiseman: Tell them about Alberta. They have twice our budget out there in new money.

Mr. Sheppard: They have four times our budget in Alberta.

Mr. Wiseman: They have twice our budget in new money.

Mr. Sheppard: That is what I am saying; in brand new money.

I would like to mention one other thing. On August 6, 1985, I came to see the Minister of Transportation and Communications (Mr. Fulton) with the chairman of county council to get some money to fix up county road 18. The minister told us to go to see the federal House, because 6.9 kilometres of the road is through the Alderville Indian Reserve. Representatives went to Ottawa, and Ottawa told them to come back and talk to the Minister of Transportation and Communications. We went to see him a week ago yesterday. He said he had given \$100,000 and thought it was supposed to have gone on county road 18.

5:30 p.m.

I want to read what the Minister of Transportation and Communications said to the county engineer in the town of Cobourg. It reads: "In his budget of October 1985, the Honourable Robert Nixon announced that in addition to the normal road funding for municipal roads, a further \$30 million would be available as part of the Ontario municipal improvement fund to help improve municipal roads and streets. Recognizing the road improvement needs in your municipality, the minister is prepared to provide supplementary funding in 1986 to support expenditures up to \$190,000.

"Upon the municipality's request, received prior to March 31, 1986, based on your current subsidy rate, this spending level will provide an estimated allocation of \$172,700."

The committee was dumbfounded. I was at that meeting on August 6. The minister, at that time, did not say that money had to go to one township in particular.

I would like to bring to the attention of the Treasurer that one of these days he is going to have to put some more money into roads and transportation because, as I have mentioned in this House several times, Highway 401 is in terrible shape.

When I came to Toronto yesterday morning, Highway 401 was being patched. We have to have better roads than just patching Highway 401. With the amount of traffic, the heavy trucks that are overloading—

Mr. Wiseman: It takes a hole to make them think of eastern Ontario.

Mr. Sheppard: The government has forgotten about eastern Ontario. I am glad the member brought that up.

Mr. Wiseman: If it was western Ontario, the government would pave it really well.

Mr. Sheppard: It is time that the Treasurer gave MTC more money because, one of these days, there are going to be a lot more accidents. I said in the House six weeks ago that in a period of 10 months, 18 people in Northumberland riding were killed between Highway 33 and Highway 28.

Highway 33 goes through Trenton while Highway 28 runs from Port Hope to Peterborough. I say that for those members who do not know where those highways run.

Mr. Wiseman: The Treasurer never gets down east.

Mr. Sheppard: There is one other thing I want to bring to the attention of the Treasurer and the Minister of Agriculture and Food. Tomorrow the Minister of Agriculture and Food is taking the president, or the chairman, of eastern Ontario vegetable growers to court because they planted some peas and corn before getting a licence. As the old saying goes, "A farmer has to make hay while the sun shines," and if one does not get his crop in early one will not get any crop.

This is another way in which the Minister of Agriculture and Food is not helping the farmers out in the great ridings of Northumberland, Prince Edward-Lennox and Hastings-Peterborough.

Mr. Wiseman: Do not forget Lanark.

Mr. Sheppard: I say to the member for Lanark (Mr. Wiseman) that the Ontario vegetable growers have only one plant in Murray township and it only has growers from those three counties.

Nevertheless, the minister is not listening to the people, and it is supposed to be an open government. It is not, because everything is closed. It does not tell one anything until it is too late.

There is one other thing I have to mention before I sit down. Every time I go to the cafeteria downstairs, the member for Parkdale has six or seven people with whom he is having breakfast, lunch or dinner.

Mr. Wiseman: Who is buying?

Mr. Sheppard: I was wondering who was paying for that. I presume we are all paying for it and this is another reason the Treasurer wants to get this supply motion passed so that members can take their friends into the cafeteria downstairs.

I presume another reason he wants this supply bill passed is because when this House recesses, I understand they are going to put the televisions back in the walls and add five more seats here. It will cost \$1.5 million to \$2 million.

The people of my riding and I question whether we really need television in this House, but we are going to get it.

Mr. Wiseman: Twelve million dollars.

Mr. Sheppard: Twelve million dollars, thank you.

Mr. Wiseman: They are spending like socialists.

The Acting Speaker: Order.

Mr. Sheppard: I will sit down now, but I understand that the Treasurer will have to pass a bill of \$9.2 billion which, as a farmer, I do not call chicken feed.

Mr. Speaker: Are there any questions or comments?

Mr. Laughren: I understand why the member for Northumberland (Mr. Sheppard) does not want television in the chamber. It should be clear to all of us and I sympathize with his predicament. Would the member for Northumberland respond, when he gets an opportunity in a couple of moments, and tell us whether he believes more attention is paid to a member's riding when that riding is represented by a government member? Does he still feel that way, because in every election in this province I have been involved in,

the Tories have said in every riding, "If you want to get what you deserve, you have to have a government member." I want to know a couple of things.

Mr. Haggerty: Government member.

Mr. Laughren: Right on.

Hon. Mr. Nixon: The member for Northumberland does not want to get what he deserves.

Mr. Wiseman: On a point of privilege: The member for Nickel Belt (Mr. Laughren), whose campaign manager came from my riding, knows the member for Lanark and knows he has never needed to use that to get elected.

The Acting Speaker: This is not a point of privilege.

Mr. Laughren: I anticipate having seconds added to my comments.

I think the member for Northumberland should respond, and I say that partly in a lighthearted manner. The Tories have always been antidemocratic in their arguments that, if a riding wants what it deserves from the common pool called the consolidated revenue fund, it has to elect a government member. There is not a member of the present government or a member of the third party who did not have that used against him in past elections. I would like to know whether the Tories sitting in opposition now still feel that way, or whether they have had a change of heart. That is a most reasonable request.

Mr. Sheppard: I would like to make a couple of comments to the member for Nickel Belt. He is full of hot air and water. No member from the great riding of Northumberland had to promise that he would be on the side of the government if he got elected and they had to vote Tory. That is hogwash.

Mr. Breagh: They got what the member promised them—hogwash.

Mr. Sheppard: I have never promised anybody anything in my riding. I just promised that I would work to the best of my ability to bring things into the great riding of Northumberland.

All the member has to do is go into the great riding of Northumberland. If he wants me to name some things, we have some new highways and had highways resurfaced; and why not? We are in southern Ontario and northern Ontario has Minaki Lodge. What is wrong with that? When I go to northern Ontario someone such as the member says, "They have Highway 401 and the Don Valley Parkway in southern Ontario." I am not kicking them. Then I say, "You have Minaki Lodge." The member supported Minaki Lodge, did he not?

Mr. Martel: The member can have it back.

Mr. Sheppard: I beg the member's pardon?

Mr. Martel: The member can take it to his riding if he wants. He can take the whole damned thing if he wants to.

Mr. Sheppard: We are getting a new centre in Harwood, a new addition to the county memorial hospital, and we have just opened an addition to the agricultural office in Brighton. It was all under the Liberal government, but I did most of the spade work before the Liberal government was elected a year ago. What is wrong with that?

Mr. Martel: He will not get any now, is that it? He is not going to get any from now on.

5:40 p.m.

Mr. Sheppard: I would not say that. I just told members that the Minister of Citizenship and Culture will make an announcement next Wednesday and we are going to get several thousand dollars to refurbish and fix up the Barnum House Museum in the village of Grafton. It is along Highway 2, and one of the most magnificent buildings in the great riding of Northumberland.

Mr. McClellan: That will do a lot of good. It will put thousands of people to work.

Mr. Martel: I want to chat with the Treasurer, since when I spoke on the budget he was not here for my remarks, and although I am sure he wanted to he did not have time to read them.

Hon. Mr. Nixon: Who?

Mr. Martel: I am indicating the member. He is the Treasurer.

Hon. Mr. Nixon: I am going to listen.

Mr. Martel: He is going to listen. Well, I simply want to make a couple of quick points. The new government of Ontario does not seem to respond to northern Ontario any better than the last one.

Hon. Mr. Nixon: How can the member say that?

Mr. Martel: Quite easily. If one wants to look at gas. We were going to have a great inquiry. Just yesterday, I paid 40 cents a litre in Toronto and 48 cents a litre in northern Ontario. At eight cents a litre, that comes to more than 32 cents a gallon.

When I first came here, I raised the question with Les Rowntree in 1968. I said to him, "Tell me how it is that in northern Ontario there is a spread of six or seven cents a gallon." I know things have increased over the last 15 years, but to take that spread of six or seven cents a gallon, which now is over 32 cents a gallon, is really for the birds.

The answer from the minister responsible is exactly the same answer old Les Rowntree gave me. It was a lot of gobbledegook: it was travel or distance; it was storage. The markets were not as great, and therefore they did not sell as many gallons.

Hon. Mr. Kwinter: What year was that?

Mr. Martel: It was 1968. Nothing has changed between then and now. Costs may be a little higher, but not 32 or 33 cents a gallon. The government will not do anything about it. When it comes to economic development in the north, the government is not going to do anything different from the Tories.

Hon. Mr. Nixon: Just wait.

Mr. Martel: I have been waiting with bated breath for almost a year.

Interjection.

Mr. Laughren: He is the minister.

Mr. Martel: I do not want to say that.

When there are opportunities in the—

Hon. Mr. Nixon: Does the member not know any other northern ministers?

Mr. Martel: Is the Treasurer taking applications?

I look at a couple of things in the north. Jobs are tough to get, and work is hard to create. When there is an opportunity, the minister listens to a bird like Mr. McDonald, the Deputy Minister of Correctional Services. At the meeting with the Premier (Mr. Peterson), he was so dishonest. He really was. He told the minister what he wanted him to hear.

The institution in Thunder Bay was only 70 per cent filled. That is right, but it happens to be 600 miles from Sudbury. We keep arguing about why prisoners from the Sudbury area should come to the south. Mr. McDonald made that little comment.

He made a second comment that was sleazy, to put it mildly. He did not bother telling the government that he was expanding a number of institutions. He said, "We have only 70 or 80 of the prisoners from the Sudbury-North Bay area who could go south." That is right, but could he not take 70 or 80 from the south and put them in the north, or is it always—as was the usual case with the Tories—that everything comes south? The only thing they ever wanted to send to the north was the garbage from Toronto, and there was such an outcry about that it was rejected.

The government has an opportunity to send 70 or 80 prisoners to the north. It is all of 200 miles from Toronto to Burwash, but Mr. McDonald is prepared to send them from Sudbury to Thunder

Bay, 600 miles one way. What a clown he is. He is dishonest. He did not bother to say that he was going to construct or add on to several institutions in the south because of overcrowding. Mr. McDonald forgot to tell the Premier that. It was relevant, but it was not relevant for his argument to continue to send prisoners this way, so he just ignored it.

He conveniently forgot to tell the Treasurer and the Premier, "We are adding on to a couple of institutions in the south because they are overcrowded." For \$13 million there would not have been a better bargain. Creating jobs in some fields, I am told, can be as much as \$100,000 a job. The Treasurer would know that.

Hon. Mr. Nixon: Is this a new building or Burwash?

Mr. Martel: It is Burwash. It only needs one new building. The Treasurer knows. It only needs one new building and that is the institution itself. Everything else is there. For \$13 million the Treasurer would have created 225 permanent jobs and 225 spinoff jobs. He cannot get a better deal for \$13 million. He knows what it costs to create a job in industry.

That is roughly 500 jobs. In Sudbury, by 1990, despite the fact we have lost 15,000 people, we still will have 12 per cent unemployment and we will have a welfare cost of \$20 million annually. One year of that bloody \$20 million would have created 500 jobs. That is one option when I say the government has to be realistic. Or it could take the second option. It could take the radar base and buy the whole thing for a dollar.

For as many years as I have been here I have been saying that sending kids to prison just reinforces the bad habits they have already. We have recommended and suggested to the Treasurer and other people that they should try something new. I know that on the day we had a meeting, my friend had just been "snatched" for another \$120 million that day. I think that is what the Treasurer said it cost him. He was not in the best frame of mind.

Perhaps we should try something else rather than putting the people in jail. We might try a centre such as we talked about where we send kids into a cadet-type of environment using psychologists, psychiatrists and teachers to work with them, and not put them in a prison.

Hon. Mr. Nixon: Are they sentenced as potential criminals?

Mr. Martel: They have the potential because we are saying at the first thought of them getting into trouble at school—

Mr. Speaker: I would remind the members that the time for questions and comments will come following the comments by the member for Sudbury East.

Mr. Martel: It would have been an opportunity to try something new, to see if the rate of recidivism for those who went under the Young Offenders Act would be greater than if we allowed someone, whether it be the parents or the school, to put the kids in this type of institution. Let us try something different. We have one of the worst rates of recidivism in the western world. Perhaps it is time, rather than sending kids to a jail. We can disguise it and make it as nice as possible and have cabins but then we put a wall around it. We put 14- and 15-year-olds with 16- and 17-year-olds who are already fairly hardened. We should try something different. It is a possibility the government should look at. Those are the types of opportunities in the north one must grasp. They do not come every day.

The other thing is that I have written to the federal minister. We have a study going on with respect to sulphur dioxide and phosphates which could make fertilizer, which we are importing into Ontario. The government could become imaginative. We could never get the Tories to look at it; it was impossible. The former Minister of Northern Affairs played his silly games with the former member for Cochrane North and said: "You cannot do it. You would be taking the phosphates out of my riding and sending them down to Sudbury." We are saying that the annual costs of SO₂ emissions or acid rain are so great we might try something different.

5:50 p.m.

Imagination never seems to be strong on the part of government. It plods along and looks at a budget, year by year, one budget at a time, and economic planning is not worth a damn. Perhaps it is time we started to use a little imagination and tried to use some of the resources in the north that would lead to production of something in the north rather than always taking things out. Resources are sent to the United States to be processed or semi-processed, to Norway, England, anywhere we want. If we want to create jobs in the north we should get rid of section 104 of the Mining Act to prevent people from shipping stuff all over the world.

Mr. Haggerty: They are not even refining nickel in Port Colborne.

Mr. Martel: They will not even refine it there, where it could be processed in Ontario. When we have 13 per cent unemployment and about 6.5

per cent in the south, drastic measures have to be taken. I encourage this government to become more progressive and stop listening to some of those old Tory deputy ministers who have the same ideas they had when this crowd was in power and did nothing in northern Ontario.

Mr. Speaker: Are there any questions or comments directly on the comments made by the member?

Mr. Runciman: Yes, Mr. Speaker. I am directly interested in the member's comments. He made them previously about gasoline and litres versus gallons. He had considerable publicity about his complaints right across the province some weeks ago. I am curious. Several years ago when I looked through the records at the time the metric issue was dealt with in this assembly, the only comments of a negative nature I could locate were presented by the member for Brant-Oxford-Norfolk (Mr. Nixon).

It was called something like the metric conversion act. If the member wishes to correct me, he can. I am curious about the member for Sudbury East, who has been discussing this issue. He was a member of the House at that time. What was his position?

Mr. Speaker: Are there any other comments or questions? If not, the member for Sudbury East, if he wishes to reply for up to two minutes.

Mr. Martel: I am glad my friend asked. One did not have to oppose the metric conversion because one did not think companies would try to fleece us so badly. On converting, they left almost the same price differential between gallons and litres. They applied it. They did the same thing with leaded and unleaded gas.

There used to be two to five cents a gallon difference between north and south for leaded gasoline and it is now 13 or 14 cents a gallon difference. They have allowed the price spread. All it has done is gouge the public. Studies from Ottawa show that the cost differential between leaded and unleaded gas is about three cents a gallon. It is now up to 14 cents. They are just ripping us off.

I have looked at seven royal commission studies of gas companies and no one has ever been able to nail them to the wall. They are slippery beggars. They hire the best people in the business.

Mr. Runciman: The member supported the ripoff.

Mr. Martel: I did not support the ripoff. I do not mind the conversion. I am saying that just

because one converts, one should not allow them to gouge.

Mr. Laughren: Oh, yes, it is the free market system.

Mr. Martel: Yes; I disagree with the free market system quite substantially. I had dinner with my friend, the evening he kept leading with his chin. I will not mention the comments made except to say that the Liberal answers now were the Tory answers when they were in power and the Tory questions were the Liberal questions when they were in power. There is not a tinker's damn difference.

Mr. Gillies: I indicated earlier that I wanted to participate in this debate. I told my friend the member for Oshawa (Mr. Breaugh) I would be characteristically brief and he blanched visibly.

In this discussion of interim supply I would like to take a few minutes to discuss some of the ways this government seems to be doing business, which have become apparent in the last several weeks through questioning and other activities surrounding this Legislature. Members will recall that about three weeks ago I asked the Premier and the government to table documentation with this Legislature regarding a \$17.5 million grant to the Exploracom project. That information has now been tabled.

While I have not had an opportunity to go through it in detail at this point, the government seems to have gone part of the way in satisfying some of our requirements but in no way has it addressed the central issues.

Even upon receipt of this information, we await the detailed written submission made by Mr. Schwartz with regard to the current project and not some of its predecessors which seem to have found their way into this package of material. We await minutes of meetings and other landmark events in the approval process of this grant.

I have indicated before in the House that we have to go about our duties with a certain degree of humour and, as much as possible, be oblivious to the little blows we take every now and then. However, I believe the matters we have been examining in the past several weeks are very important and point very centrally to the way this government seems to be doing business.

In raising the matter of the Innovation Development for Employment Advancement Corp. and the Exploracom grant, I have at various times been called by the Premier sleazy and in the gutter. Mr. Speaker, since you did not inject yourself into the debate at that time, I must assume that language is not unparliamentary. I

am certain members will recall that in the future when those words come up again.

I think we should review a couple of the central facts.

Hon. Mr. Nixon: Just misreading.

Mr. Gillies: Misleading, misreading or whatever that was earlier.

Two of the central facts are these: At the time of the government's budget last October, the Treasurer indicated the government would be winding down the IDEA Corp., since, to quote the Treasurer, he considered the IDEA Corp. to have proven to be an inappropriate vehicle to deliver these services to the public;" "these services" being the development of high technology industry.

That view of the government was reiterated in a news release put out by the Minister of Industry, Trade and Technology (Mr. O'Neil) on February 19, in which he indicated that the affairs of the IDEA Corp. would be wound down on June 30 of this year and that in the interim period the affairs of the corporation would be the responsibility of the Minister of Industry, Trade and Technology. He reiterated that the government felt the particular vehicle to be inappropriate.

The Premier has failed to answer a very central question. If his government considers the IDEA Corp. to be an inappropriate vehicle for the delivery of high-technology industry in this province, why has his government expended 60 per cent of the total funding of the IDEA Corp. since its inception in 1982? Why has his government expended 60 per cent of the total funding for that corporation since he took office?

We have asked that question of various officials, including the manager of IDEA, Mr. Maruzzo, who, I will concede, has been quite forthcoming in his comments. He said, in reply to that question: "It is a good question. There are pros and cons for doing it. I do not know who made the decision to continue funding."

Again, in reply to the same question, and in response to a query by my office as to why there had been this seeming increase in expenditures through this inappropriate vehicle, Mr. Maruzzo said, "Staff was under pressure to get the money out and make the deals, but no one ever said why this was being done."

The fact is simply this: The government has expended \$27 million through the IDEA Corp. since taking office, which represents 60 per cent of the total spending since 1982. The Premier has continued to stonewall and has failed to answer that question. The appearance of this circum-

stance, when coupled with the very close relationship between this government and several of the companies in question that have received funding, leaves a cloud over the Premier's government.

I would again invite the Premier to address these questions directly. He may feel it is sleazy and underhanded to raise questions of this nature. I would suggest that we do not, and we feel it is perfectly consistent with the traditions and the history of this House that a responsible opposition questions the expenditures of the government, especially when it appears those expenditures may involve close friends of the government and those who may benefit from the government's actions.

6 p.m.

I do not need to remind any member of this House that the outcome of this investigation has already led to the resignation of one cabinet minister. Again, I invite the Premier to step beyond the generalities and the rather extraordinary letter from the Minister of Industry, Trade and Technology that we find in the material today, with which I will not bore the House right now, and get at some of the root questions we feel need answering.

This will not go away until the Premier makes it go away. Inasmuch as these expenditures will no doubt be affected by the request of the Treasurer for interim supply, I thought it was an appropriate moment to bring it up.

Mr. McCague: I want to come back to a couple of items I have discussed with the Treasurer before and which I have not yet received an answer to.

As mentioned, the celebrated \$850 million in health capital was the hallmark of his budget. We know and he knows the health capital is now running at around \$170 million a year. The budget says we will provide \$850 million for a major, multi-year, hospital capital expansion. Subsequent to that, we heard this program would not be in the next five years but in the next three to eight years.

On this side of the House, we are a little concerned. The Treasurer does have \$170 million this year, next year and probably the year after, but if he has a five-year capital expansion program, the \$850 million amounts only to exactly the same amount as is going into the program now. I have asked him repeatedly to confirm whether this \$850 million is in addition to the normal \$170 million that goes into health capital each year.

We will be supporting the Treasurer and not getting into any arguments with him on whether the civil servants will get paid over the summer. However, I ask him to consider a couple of things about this \$9.2 billion we are giving him. I have asked him privately and I ask him publicly today to see whether he can hurry up the approval of the addition to the courthouse in Orangeville.

I have asked the Minister of Tourism and Recreation (Mr. Eakins) to consider giving a little more money to the Stayner arena. The minister was quite proper and quick to point out to me that the one-third funding was a decision made by the previous government. The point I wanted to make to him was that it is a slightly different case, where an arena is condemned by the Ministry of Labour. I would like to have from the minister a list of arenas, if there are any in the province, that did not get a bit more than a third when it was a case of the facility being condemned by the ministry.

I have asked the Minister of Municipal Affairs to consider a little more money for the residents of Mono township who had some tornado damage for which a request did not come in until late. He is making the point that it was more than 10 months following the disaster that the application was made.

I asked the Minister of Health (Mr. Elston) to consider very seriously the situation of hospital beds in Collingwood. They are asking for only another nine or 10 beds to be funded. The growth in Collingwood and the large number of tourists visiting at all times of the year have put great pressure on the hospital. I will certainly appreciate it if those nine or 10 beds can be approved. Also, Orangeville wants to get on the list for a new hospital some time in the next five to eight years.

As we give approval to the Treasurer for \$9.2 billion, we would like a little of it in the riding of Dufferin-Simcoe.

Hon. Mr. Nixon: I appreciate most of the comments made by the honourable members. The member for High Park-Swansea has already been responded to very effectively by my colleague the member for Hamilton Centre, and the base canards associated with the decrease in the budget for multicultural matters were set to rights. Our budget and our services for multicultural matters are considered extremely important by members on all sides, and we would not for a moment think of not serving the multicultural community effectively and well.

The honourable member for Nickel Belt, who is not in his place at the moment, made some

comments that attracted my attention. He said we seem to be dividing into a sort of two-tiered economy in the province and suggested not enough initiative has been taken by the government in providing job opportunities and economic development on a broad, regionally-based basis. I am concerned about that, because substantial economic growth is taking place around the major urban centres. We like that, of course, but it seems to me it is my job, as Minister of Economics, to do what I can to direct government policy so the regions of the province share on as fair and equitable a basis as possible.

The honourable member for Northumberland, in discussing the inadequacies of the agriculture budget, certainly hit a nerve close to my heart. As a farmer, I agree with his assertion that farming is in a substantial recession, if not in a depression. I think he is aware, however, that this \$9.2 billion reflects a substantial increase in our allocation for agriculture programs. In the year we have been in office, this allocation has increased by just less than 40 per cent.

The honourable member for Sudbury East (Mr. Martel) also raised his contention that government policy might improve the economic situation in northern Ontario, particularly in Sudbury, if we had a more imaginative approach in providing services and facilities through the Ministry of Correctional Services. I am quite interested in that, and I know the minister has given it careful consideration. We are aware of the facilities at Burwash, which were closed by the Progressive Conservative government the very year that extensive capital investments had been made for sports facilities and certain other facilities. At the time, I considered it a serious waste of money. The contention that we should have improved facilities in the north is one my colleagues and I are taking seriously.

The honourable member for Brantford (Mr. Gillies), who is no longer here, was referring to his continuing interest in the Innovation Development for Employment Advancement Corp. He questioned why money continued to be spent on loans by the board of the IDEA Corp. after it was announced in the budget that we were slimming it down and intended to replace it with another type of corporation. In many respects, in hindsight, I wish I had moved more rapidly in that connection.

I hope that is not too serious an admission, but I point out that the board of IDEA is independent. The decisions they make about loans and grants are not approved by any minister, by the cabinet or by the Premier. The decisions are made

independently, and the IDEA Corp. was set up by the previous administration with just that thought in mind. The idea that the corporation is somehow under the thumb and direction of the Minister of Industry, Trade and Technology, the Premier or the Treasurer is just not correct, except it is now wound down and will go out of operation on June 30, a few days from now. In many respects, I wish it had been June 30 a year ago, but that is not the case. This responsibility is being taken over by the Ontario Development Corp. as an umbrella parent, and the honourable Minister of Industry, Trade and Technology will assume the political responsibility for those decisions.

A number of other matters involving gasoline prices in the north were referred to. We have heard about that here frequently, and the matter is of grave concern. A report has indicated that the disparity in price averages out to approximately four cents per litre, and hearings are going to be held to pin that down on a community basis in a more effective way.

6:10 p.m.

The member for Dufferin-Simcoe (Mr. McCague) was talking about our commitment to health care capital, particularly for hospital development. I understand the cash flow for capital expenditures this year will be about \$165 million. The figure he quoted is approximately correct; it is not substantially greater than it was last year.

The commitment we have made for \$850 million over the next five years, the next three to eight years, or whatever the figure is in the press release he read, is a firm one and is new capital commitment. In addition to this are previous commitments that the honourable member is familiar with, particularly the one involving the Hospital for Sick Children, to which the Minister of Health referred in his comments.

As a former minister, the member is also aware that his government had, and now our government has, a continuing responsibility for renovation, which is also of a capital nature. In the budget I talked about, and in his comments the Minister of Health referred specifically to, the money included for the renovation and substantial expansion of our cancer treatment facilities. I know the minister is preparing a more definitive statement, which should be presented to the House before we adjourn.

It is my expectation that the capital commitments for health services will be seen over the next five years to be substantially greater as the allocation of this additional \$850 million takes

place. All the construction and expenditure will be begun by the fifth year, and all the money will be spent by the eighth year. I do not for a moment think that is all the money we will be spending on capital projects in health services. I have a feeling it will be about one third of what we will be spending over the next eight years.

The size of this requirement is astounding. The standing committee on finance and economic affairs will certainly be asked to consider it and to advise the Treasurer and the government on it. It will be our responsibility to take the decisions we feel appropriate, but I can assure members they will have a chance to express their views before the budget as well as after.

I appreciate that both opposition parties indicated they would concur in this interim supply. I can assure them that every dollar of the \$9.2 billion will be spent in the best interests of the taxpayers of Ontario.

Motion agreed to.

REPORT, STANDING COMMITTEE ON THE OMBUDSMAN (continued)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the 14th report of the standing committee on the Ombudsman.

Mr. Shymko: As the members are well aware, it is normal for the Ombudsman to have recommendations denied by ministries from time to time. In certain cases the Ombudsman feels these have been dealt with unreasonably by the ministries or government agencies. He appeals to the standing committee on the Ombudsman to review his position as it is in conflict with a ministry.

We often deliberate for a number of days on these specific cases. In the two cases in our 14th report, it is the unanimous decision of the standing committee that we support the Ombudsman. One case refers to the refusal—which the Ombudsman feels is unreasonable—by the Ministry of Health to grant to a professional physiotherapist, Mr. F, the right to purchase and transfer from Millbrook to Belleville the privileges of billing the Ontario health insurance plan.

I will not go into details. The report is quite detailed on the aspects of this case. I just want to point out that in 1964 the government initiated a prepaid physiotherapy plan, which included the licensing of approved facilities for OHIP billing purposes. Two years after that, in 1966, no more private physiotherapy clinics were to be established, and the number was frozen at 95.

However, one was allowed to purchase the licensing privileges from any of those.

In this case, Mr. F wanted to purchase the privileges of a physiotherapy clinic in Millbrook, to operate in Belleville, where there is a need. We feel the position of the standing committee on the Ombudsman is based solely on the merits of this case. We are not in any way objecting to or opposing the present deprivatization process of the physiotherapy clinics.

We feel Mr. F, who is a handicapped individual and has the support of the Belleville community as well as of the area medical practitioners, is being objected to by the Ministry of Health, which says Belleville is not underserved. Yet in the past few years, the very same ministry has increased the physiotherapy outpatient staff by 30 per cent. In other words, it has not become an underserved area because of attempts by the ministry to ensure that it is not underserved. We appeal to the members to support that recommendation denied.

The other one deals with the Ontario Northland Transportation Commission. It is a request by an employee to make pension contributions for the first two years of his employment as a temporary construction lineman, from 1957 to 1959. The definition of "temporary employee" is a question of who defines "temporary" and in what way. The policy of the ONTC pension board in 1978 was that a temporary or casual employee was allowed pension deductions on or after the first day of the seventh month of employment.

Again, it is all detailed. We felt the ONTC's refusal was unreasonable because a precedent had been set some years earlier, in 1974. Another employee did obtain the right to purchase his pension. We suggest the pension board of the ONTC should allow Mr. R to make contributions for the period from six months of his initial employment, as the precedent has been set for others.

I urge the members to support the 14th report of the standing committee on these two cases.

Mr. Philip: Ibid. and op. cit. That is another way of saying I am not going to repeat what the previous speaker has said.

I emphasize that in each of these cases we dealt exclusively with its individual merits. We were in no way making a policy statement, particularly in the case that involves the physiotherapist. Our recommendation in no way supports or condones any policy that would move towards deprivatization of health care in this province. Rather, we feel a ministry has the obligation to deal honestly

and truthfully with those over whom it has some authority. When this is not done, the ministry should feel the consequences of that, and the aggrieved parties should have some recourse. In this case, that has happened.

I want to emphasize, as has my colleague the member for High Park-Swansea, that this is the unanimous decision of the committee. I hope the Legislature will give it the same kind of unanimous consideration and approval that

members of all three parties on the standing committee on the Ombudsman gave this 14th report. I hope it will be carried today.

Hon. Mr. Nixon: On behalf of the government party, I want to say we are in a position to support the recommendations of the committee. I think the committee, as usual, has done very good work. We hope it will continue that good work.

Motion agreed to.

CONTENTS

Tuesday, June 24, 1986

Members' statements

| | |
|--|------|
| Children's aid society, Mr. Cousens | 1883 |
| La fête de la Saint-Jean-Baptiste, Mr. Allen | 1884 |
| Former police chief, Mr. Epp | 1884 |
| Alcohol treatment centre, Mr. Villeneuve | 1884 |
| Access to abortion committees, Ms. Gigantes | 1885 |
| La fête de la Saint-Jean-Baptiste, Mr. Bossy | 1885 |

Statements by the ministry and responses

| | |
|---|------|
| Bradley, Hon. J. J., Minister of the Environment: | |
| Water quality, Ms. Fish, Mrs. Grier | 1886 |
| Curling, Hon. A., Minister of Housing: | |
| Race relations, Mr. Gordon, Mr. Reville | 1888 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| La fête de la Saint-Jean-Baptiste, Mr. Guindon, Mr. Rae | 1890 |
| Scott, Hon. I. G., Attorney General: | |
| Legal aid, Mr. O'Connor, Ms. Gigantes | 1885 |

Oral questions

| | |
|---|------|
| Bradley, Hon. J. J., Minister of the Environment: | |
| Acid rain, Ms. Hart | 1899 |
| Curling, Hon. A., Minister of Housing: | |
| Rent review, Mr. Rae | 1895 |
| Rent review, Mr. Reville | 1897 |
| O'Neil, Hon. H. P., Minister of Industry, Trade and Technology: | |
| Technology fund, Mr. Gillies | 1900 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Extra billing, Mr. Grossman | 1891 |
| Abortion clinic, Mr. Grossman | 1893 |
| Alleged conflict of interest, Mr. Brandt | 1896 |
| Alleged conflict of interest, Mr. Brandt | 1898 |
| Access to abortion committees, Mr. Andrewes | 1899 |
| Scott, Hon. I. G., Attorney General: | |
| Extra billing, Mr. Rae | 1894 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Children's aid society, Mr. R. F. Johnston | 1898 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Occupational health and safety, Mr. Martel | 1900 |
| Dismissal of employee, Mr. Rae | 1901 |

Petitions

Naturopathy, Mr. Ferraro, Mr. Shymko, tabled. 1903

Motion

Committee sittings, Mr. Nixon, agreed to 1903

First readings

Election Finances Act, Bill 103, Mr. Nixon, agreed to 1903

Township of Mara Act, Bill Pr11, Mr. McLean, agreed to. 1904

Legal Aid Amendment Act, Bill 107, Mr. Scott, agreed to 1904

Government motion

Interim supply, resolution 6, Mr. Nixon, Mr. Shymko, Mr. Grande, Ms. Munro, Mr. Laughren, Mr. Cordiano, Mr. Sheppard, Mr. Martel, Mr. Runciman, Mr. Gillies, Mr. McCague, agreed to 1904

Report by committee

Standing committee on the Ombudsman, Mr. McNeil, Mr. Shymko, Mr. Philip, Mr. Nixon, agreed to. 1923

Royal assent

The Honourable the Lieutenant Governor. 1904

Other business

Visitors, Mr. Speaker 1883

Premature disclosure of committee report, Mr. Andrewes, Mr. McClellan, Mr. McGuigan, Mr. Shymko, Mr. Speaker, Mr. Breaugh. 1883

Committee clerk, Mr. R. F. Johnston 1891

Access to abortion committees, Ms. Gigantes, Mr. Speaker, Mr. Harris, Mr. McClellan, Mr. Nixon, Mr. Scott, Mr. Breaugh. 1901

Answers to questions in Orders and Notices, Mr Nixon, tabled 1904

Adjournment. 1924

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
 Ashe, G. L. (Durham West PC)
 Bossy, M. L. (Chatham-Kent L)
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Callahan, R. V. (Brampton L)
 Cordiano, J. (Downsview L)
 Cousens, W. D. (York Centre PC)
 Curling, Hon. A., Minister of Housing (Scarborough North L)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Epp, H. A. (Waterloo North L)
 Ferraro, R. E. (Wellington South L)
 Fish, S. A. (St. George PC)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
 Grier, R. A. (Lakeshore NDP)

Grossman, L. S. (St. Andrew-St. Patrick PC)
Guindon, L. B. (Cornwall PC)
Haggerty, R. (Erie L)
Harris, M. D. (Nipissing PC)
Hart, C. E. (York East L)
Johnston, R. F. (Scarborough West NDP)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Laughren, F. (Nickel Belt NDP)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McGuigan, J. F. (Kent-Elgin L)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Reville, D. (Riverdale NDP)
Runciman, R. W. (Leeds PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Villeneuve, N. (Stormont, Dundas and Glengarry PC)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wiseman, D. J. (Lanark PC)
Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Wednesday, June 25, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, June 25, 1986

The House met at 2 p.m.

Prayers.

BOARD OF INTERNAL ECONOMY

Mr. Speaker: I beg to inform the House that I have laid upon the table a copy of an order in council deleting the name of the Honourable Elinor Caplan and substituting in lieu thereof the Honourable James Bradley, Minister of the Environment.

Mr. McClellan: Is that for the board? For what?

Mr. Speaker: I am sorry. In regard to the membership of the Board of Internal Economy.

ANNUAL REPORT, OMBUDSMAN

Mr. Speaker: I also wish to inform the House that I have today laid upon the table the annual report of the Ombudsman of Ontario for 1985-86. The members will find copies in their postal boxes.

MEMBERS' STATEMENTS

GASOLINE PRICES

Mr. Pierce: I want to bring to this government's attention the high cost of travelling through northern Ontario. I believe travellers from eastern Canada and the eastern United States who intend to visit Expo this summer will travel through the US rather than through northern Ontario.

The Minister of Tourism and Recreation (Mr. Eakins) announced on June 16 that his government intends to spend \$1 million this year to attract tourists into northern Ontario with a marketing ad campaign. The thrust of this campaign is to be directed at people in eastern Ontario. Does the minister really believe this ad campaign is going to encourage people to visit and travel through the north when they can travel almost twice as far in the US on the same amount of money that they would have to spend on gas in northern Ontario?

My father just recently drove from Fort Frances to Toronto. I mention this because he did not drive through Ontario; he drove via the US for \$73. By using figures provided by the government's north-south gasoline pricing

study, the same trip through northern Ontario would have cost my father \$170.

Why does this government do everything but the obvious? The high cost of travelling through northern Ontario for families visiting Expo will discourage them from using the northern route. If the north is to benefit from the extra tourists travelling to Expo this summer, the cost of gas must be lowered now.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: Dofasco has been exempted from the statutory requirement to establish joint health and safety committees in its plant. If the Minister of Labour (Mr. Wrye) was serious about health and safety, he would not allow a company of that size to have this option. Let us see the application, with the grounds for such an exemption.

The United Steelworkers of America at Stelco presented to our task force injury statistics showing that for the past two years accidents at Dofasco are occurring at a rate 80 per cent higher than at Stelco. Local 1005 is frequently called by Dofasco workers to represent them in matters pertaining to health and safety. For example, the local is asked for help with Workers' Compensation Board cases and at coroners' inquests.

In the absence of a health and safety committee or a union, what proof does the minister have that the interests of unorganized workers at Dofasco are being protected from the hazards of the work place and the threat of reprisals? In the past three years there have been no fatalities at Stelco, while at Dofasco there have been four.

It is interesting to note that in the past three years, lost-time accidents at Dofasco are much higher than at Stelco. For example, in 1985 there were 850 lost-time accidents at Dofasco and only 455 at Stelco. It is time the minister looked into this situation to ensure that a proper health and safety committee is in place to protect the workers.

BASEBALL GAME

Mr. Callahan: I rise on this occasion to recognize a very significant event that took place on June 18, 1986. Unfortunately, this historic

event could not be recorded until this time due to the important bills that were before the House. The occasion took place about eight o'clock in the evening at the De La Salle ball field. The courageous Liberal caucus met with the 14th-place press gallery team and soundly defeated it 24 to nine in a contest that was represented by a single pitcher throughout and there was no necessity whatsoever to go to the bullpen. We enjoyed it, and the trophy that was turned over to us on that occasion will no doubt remain in the caucus gallery for ever.

EXTRA BILLING

Mr. Andrewes: In its haste to ban extra billing, the government has allowed an important health care service in Ontario to get lost in the shuffle, to quote a member of the staff of the Minister of Health (Mr. Elston). The Ontario Dental Association, failing to get a response from the minister over several months, has advised the public by way of an advertisement in major newspapers that needed dental surgical procedures will not be undertaken in Ontario hospitals. This means that patients requiring services under the Ontario health insurance plan must either do without these services or seek them elsewhere.

This question was raised with the Minister of Health by the Leader of the Opposition (Mr. Grossman) as far back as January 31. The minister responded then, "We are involved in negotiating these agreements with various associations." Negotiations pursued with diligence and in good faith by the minister would surely have prevented this situation that exists today. Ontario residents deserve leadership from this government and this minister. This government's achievements in health care inaccessibility are noted by many concerned citizens of the province.

ACCESS TO ABORTION COMMITTEES

Ms. Gigantes: Even before the withdrawal of doctors' services, the problem of access to abortion service was an increasingly serious one. In the last year, access to abortion service in Ontario has become more restricted; quite the opposite to what the Liberals had promised in last year's election.

In the last few weeks we have seen a totally intolerable situation develop. Some therapeutic abortion committees have resigned, while some are simply not meeting. In hospitals where committees have approved abortions, doctors

have cancelled appointments and in many cases they are referring patients to doctors at two freestanding clinics. At the same time, the two clinics that continue providing abortion service are unable to arrange for their patients to get Ontario health insurance plan coverage.

Women who cannot get access to abortions in public hospitals cannot get OHIP coverage for a health service they desperately need. Meanwhile, the Attorney General (Mr. Scott) and minister irresponsible about women's issues mutters darkly about illegal clinics and possible prosecutions.

The government must change its course. It must adopt the position of successive governments in Quebec and recognize that the existing law concerning abortion service is unacceptable and unenforceable. It is time to recognize the important role of freestanding clinics, provide OHIP coverage for patients of those clinics and put an end to punishing women who need abortion service.

CHILDREN'S AID SOCIETY

Mr. Cousens: The problem with the Children's Aid Society of Metropolitan Toronto is reaching a point where, if the negotiations that today are under the auspices and leadership of the mediator do not proceed favourably, if the matter is not resolved and if we do not have the staff of the Children's Aid Society of Metropolitan Toronto back at work, the problem will reach crisis proportions.

The situation now is such that staff within the Ministry of Community and Social Services say there are no problems. Press aides of the Minister of Community and Social Services (Mr. Sweeney) say there are no problems. I venture to say he is not listening to the people, the staff or the management which is trying to man the different centres around Metropolitan Toronto.

Unless action is taken in the next 24 hours, I believe we will reach a proportion of problems that we, in this section of the opposition, will be forced to try to escalate and raise the attention of the whole province on this issue, because the minister is closing his eyes and mind to the problems that now exist. I beseech him to begin to be aware of it, to acknowledge that there is a problem and, while there is still time, to do something about it.

TUITION FEES

Mr. Allen: On Friday, the Minister of Colleges and Universities (Mr. Sorbara) announced that as of May 1, 1987, his ministry will

eliminate tuition-related ancillary fees for students in Ontario's universities.

This was a remarkable performance, because those students have been paying an average of \$250 in excess of their normal tuition fees in recent years. However, at the same time, the announcement rather neatly legalized at least 11 of those fees and offered the universities the discretionary power to add five per cent to the current fee level. The end result is that the students will pay the same amount and the minister looks as though he is doing something. That is a remarkable accomplishment but it is not unprecedented in the realm of politics.

Will the minister not take another look at this, since it will not go into effect for a number of months, and give us a better plan than he has come up with to deal with those fee problems?

2:13 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

ALLEGED CONFLICT OF INTEREST

Hon. Mr. Peterson: Yesterday, in this House, the member for Sarnia (Mr. Brandt) made very serious allegations of conflict of interest against the Minister of Northern Development and Mines (Mr. Fontaine). It is alleged by the member for Sarnia that the minister now holds shares of Golden Tiger Mining Exploration and that he has failed to disclose his share ownership in the disclosure filing made with the Clerk of the House.

I have spoken with the minister. He has advised me that the disclosure statement filed with the Clerk of the House on January 21, 1986, is accurate. He has further told me that, prior to that filing, following the advice of his lawyers, he dealt with his assets in accordance with the conflict-of-interest guidelines.

He has advised me that prior to June 26, 1985, he owned two lots of Golden Tiger shares. The first lot, 45,354 shares, was held by the stockbrokerage firm of Osler, Wills Bickel for safekeeping. This lot includes the 18,888 shares referred to yesterday by the official opposition. These 45,354 shares were, in accordance with the minister's instructions and on the advice of his lawyers, sold over the period of December 10, 11 and 12, 1985. The fact of the sale of the 18,888 shares was subsequently registered in the share register of Golden Tiger on March 3, 1986, by the transfer agent, Guaranty Trust.

The second lot comprises 17,172 shares that are held in escrow in Montreal pursuant to the provisions of Golden Tiger's prospectus, which

has been filed with the Quebec Securities Commission. Those shares can be released from escrow only with the approval of the Quebec Securities Commission upon application of the president of Golden Tiger. No application for a release has been made to the Quebec Securities Commission since June 26, 1985.

The Minister of Northern Development and Mines does not now have any control over those shares. He is not an officer or director of Golden Tiger. If the shares are released at any future date, they will immediately be transferred into the minister's present blind trust.

The minister has told me that last fall he received advice from his counsel as to the manner in which he was required to dispose of his shareholdings in Golden Tiger in order to comply with the conflict-of-interest guidelines. He has told me that, as outlined above, he has complied fully with that advice and, accordingly, he is not in violation of the conflict-of-interest guidelines.

The minister has also told me that the documents which verify his disposition of Golden Tiger shares are held by his lawyers, bankers and brokers. He has advised me that he requires 24 hours in order to contact these individuals and assemble the documents. He and his staff are at this moment engaged in the task.

Because of the very serious nature of the allegations made in the House yesterday, the minister has advised me he will not participate in any ministerial business pending his personal report to me and the outcome of inquiries being conducted by my office. I fully expect the minister will report to this House tomorrow.

Mr. Brandt: I say to the Premier that I am rather surprised and disappointed at the statement he made in the House today with respect to the Minister of Northern Development and Mines (Mr. Fontaine). Surely after a full 24 hours, he would have some clear and concise statement about whether the minister has the kind of direct conflict that appears to be the case from the comments I made yesterday.

I point out that in the Premier's statement today, he indicates the minister "has advised me that the disclosure statement filed with the Clerk of the House on January 31, 1986, is accurate." That can be interpreted as being totally inaccurate. I suggest the minister owned shares in Golden Tiger at the time he was required to make disclosure in this House. He did not file with the Clerk the fact that he owned those shares.

Further, on March 3, there was some suggestion of sales of shares or disposal or manipulation of stock that occurred fully two or three months

after that time. Now we are into the month of June, and if it were not for the fact that we stood up in this House yesterday to advise the Premier of the matter, the people of Ontario would not have known—certainly the Premier himself would not have known—that the Minister of Northern Development and Mines owned at some point some interest in a mining corporation that has some 900 separate development sites in Ontario.

The Premier has a responsibility to this House and to the people of Ontario to say whether the minister did own those shares as of January 30, 1986. It is not necessarily only the minister's responsibility, but also the Premier's responsibility, to make that clear and concise statement. He has done nothing to clear the issue with the very modest statement he has given to the House today.

Mr. Foulds: I rise to respond to the Premier's statement with regard to the Minister of Northern Development and Mines.

First, we in this caucus believe nobody has the personal energy and the commitment to the north that the minister has. Let me also say it is our caucus's and my sincere hope that his defence will be found acceptable by the rules of the House and the Premier's guidelines and that he will be exonerated by the people of Ontario. However, the defence must be more substantial than that presented by the Premier today.

We believe the minister should stand aside, not merely for the 24 hours stated by the Premier, but until such time as it is clearly shown that he does not have either a real or perceived conflict of interest, as that is the case with civil servants and with proposed conflict-of-interest guidelines for deputy ministers.

The allegations that have been raised must be treated in the same manner and with the same urgency as those that were brought up with regard to the previous Chairman of Management Board. Even if the remaining 17,000 shares owned by the minister have been put in a blind trust, the fact remains that, unfortunately, the minister did not disclose them on the form he filed with the Clerk of the Legislature.

A number of questions remain: Is the trustee who holds the shares licensed under the Loan and Trust Corporations Act, according to the rules in Ontario? The major question remains: How can a minister responsible for mines continue to operate in that capacity while he continues to hold, even in escrow, shares in a mining corporation that continues to operate in Ontario?

INVESTMENT IN THE ARTS

Hon. Ms. Munro: I apologize to the honourable members. I had intended to make this statement yesterday but time for statements ran out.

Yesterday I had the pleasure of announcing the details of the \$10-million Investment in the Arts program which was first mentioned in the budget last month. I will now give my colleagues in the House details of the program.

Investment in the Arts was designed to help arts organizations stabilize their financial positions. Our aim with this program is to achieve a higher level of financial security for arts organizations.

Under this three-year program, my ministry will match \$1 for every \$1 raised above an organization's particular fund-raising base to the specified maximum grant. If the dollar comes from a new corporate donor, then we will match it two to one. The moneys raised will be put into an endowment fund and the organizations will have access to the interest. The matching ministry moneys can be used to retire an accumulated deficit.

The Ontario Arts Council will be an important partner in Investment in the Arts because its nonprofit arts organization clients will benefit most from the program, along with the ministry-supported arts service organizations.

The program was received by both the arts organizations and the businesses represented with a great deal of excitement. The arts organizations see it, and rightly so, as an excellent opportunity to get themselves into a long-term financially secure position, and the business sector sees it as an excellent investment, again rightly so. After all, the culture sector is Canada's 11th-largest manufacturing industry and the sixth-largest employer.

I made my announcement at the St. Lawrence Centre for the Arts and, as I suggested to those present, in the 26 years since the O'Keefe Centre opened, the growth of that neighbourhood has been directly related to the presence of artistic activity. The many theatres and galleries in the area have been a magnet for dozens of restaurants, for condominium and co-operative housing developments and for a great deal of general business development.

The economic benefits of the arts should be considered on an international level, too, for culture opens doors to so many other opportunities such as trade.

Over and above the economic sense of investing in the arts, though, is the more intrinsic

and in many ways the more genuine value of culture to a society, for culture over thousands of years has been to civilizations both a highly defined expression of artistic excellence and, at the same time, a more fluid expression of a society's aspirations and achievements.

Nations have developed and grown from visions largely provided by the arts and nations have been judged and valued by others for their creativity. They are a very real measure of our civility.

In my announcement, I stressed that this program requires an active partnership approach. No one could expect to get something for nothing. I urge the cultural organizations, who are providing to Ontarians a level of artistic and creative excellence that cannot be beaten anywhere, to take those creative skills and apply them to fund-raising. I appreciate the challenges of fund-raising, but, as I said to them, there are many untapped dollars still out there. A recent brief by Northern Telecom noted that only eight per cent of profitable Canadian companies make any donations to the arts.

The Continental Bank, well known as a major and innovative supporter of the arts, hosted the luncheon. That gesture is symbolic of the commitment we can expect from the business side of this partnership.

I assured them of this government's continuing support and I know that support for the arts in this province stretches across party lines. We all know and recognize that culture is really the hallmark of our society. I think members will all agree with me that, as such, the arts are surely worthy of this investment.

Mrs. Marland: I want to say at the outset that the objective of investment in the arts is always applauded by the Progressive Conservative Party. That has been well demonstrated and documented during the past 42 years.

I also want to say that the arts challenge fund, which about four years ago provided in excess of \$50 million to the arts when lottery income was more than \$50 million, does not compare to the pittance of \$10 million that was announced yesterday when we now have lottery funds in excess of \$300 million.

Corporate participation in support of the arts in Ontario must be encouraged. As the minister has pointed out, arts organizations are capable of responding to this challenge in a most creative way. However, the minister has chosen to focus on only one side of the equation. There is clearly no incentive to the corporate community to encourage its participation in this program.

If the minister had been serious, she would have undertaken to discuss this matter with her colleague the Treasurer (Mr. Nixon) with a view to providing some recognition of the corporate community's social conscience in supporting the arts, particularly as this program was obviously developed at the time of the Treasurer's budget in May.

Further, I must question whether the minister is not unduly penalizing the organizations that have already established solid fund-raising bases by prohibiting them from the opportunity to receive equal benefit from the government's program. I also question the minister's prudence in limiting dollar-for-dollar support for such organizations to 50 per cent of that of a new fund-raising initiative. Also, a match of two to one for dollars from new corporate donors is not fair to existing donors.

Finally, on behalf of the arts organizations that do not meet the minimum operating budget requirement or that have received assistance from the ministry before, I mention that the minister's guidelines for eligibility may be too restrictive. I want to know who is going to administer the fund, whether it is going to be a board of trustees, and whether the moneys raised can be used for operating expenditures. We look forward to more complete details.

DISCLOSURE OF ADOPTION INFORMATION

Hon. Mr. Sweeney: The issue of disclosure of adoption information has long been controversial in Ontario. Some have called for greater access to adoption information. Others say that the release of this information violates the right to personal privacy. It is an issue that members of this Legislature have debated many times. There have been literally years of consultation.

Today I wish to announce the planned changes to Ontario's legislation on the disclosure of adoption information.

In this regard, we owe a great debt to Dr. Ralph Garber. His report on the disclosure of adoption information, which I tabled in this House last November, was a sensitive look at this difficult issue. I am pleased to introduce Dr. Garber, who is with us today in the members' gallery.

Like Dr. Garber, the government of this province favours a more open approach to disclosure. We also recognize the right to privacy of all those involved in the adoption process. The changes which reflect that approach cover a number of areas.

First, let me refer to the release of nonidentifying information. Nonidentifying information is general background data on birth parents and information on the health and development of the adoptee, but this information does not disclose the identity of any of the parties.

Children's aid societies, licensees and the ministry will be required, under the amended legislation, to release nonidentifying information on request to all adult parties to an adoption. Adult birth brothers, sisters and grandparents of adoptees will also have access to this information.

My ministry is going to change the laws governing the disclosure of identifying information. That information will be released only with the consent of the birth relative in question and the adult adoptee.

Access to identifying information will be available only when the adopted child becomes an adult. In that way, the confidentiality of the adoptive family, the birth parents and the best interests of the adopted child are maintained while the child is growing up.

Because we feel that adoptees have a need and a right to know about their past, the government will also provide help to people seeking facts about their adoption. The province's adoption disclosure registry will become semi-active, authorized to undertake reasonable and discreet searches, but only on behalf of the adult adoptee who is looking for his or her birth parents or other biological relatives.

I want to assure this Legislature that searches will be conducted in absolute confidence by well-trained professionals in my ministry. The right of birth parents and other birth relatives to their personal privacy will be respected at all times, if that is their wish.

Under current legislation only adult adoptees and birth parents are given identifying information. It is our intention also to allow adult birth siblings and birth grandparents to register for access to identifying information.

The government is sensitive to the important role played by adoptive parents, but the present three-party consent law allows them to veto the decisions of adults who want and have a right to know more about their past. As a result, the government will introduce amendments to the legislation to move to two-party consent. This will allow an adult adoptee and his birth relatives to obtain identifying information without obtaining the consent of adoptive parents.

Under the changes, if an adult adoptee and his or her birth relative both give their consent,

identifying information can be released to each. Adoption agencies and the ministry will be required to provide interpretive counselling to anyone receiving identifying or sensitive information about an adoption. Counselling has been found to be extremely valuable in helping individuals deal with this kind of information.

Two-party consent will also be required for any direct contact or reunion and, again, counselling will be mandatory. These requirements are designed to protect the privacy of birth relatives, some of whom wish to maintain their anonymity.

My staff is currently working on the necessary amendments to the Child and Family Services Act. I expect to introduce those amendments during the fall sitting of this Legislature.

I am also releasing today a policy paper which sets out these changes in more detail.

In the case of adoptions involving Indian and native children, further consultations will permit the development of an approach that will protect the interests of the child, the interests of his or her Indian band and the confidentiality of birth parents.

I know there will be mixed reactions to the changes I have announced. I feel, however, they strike the best possible balance. They are sensitive both to the individual's right to privacy and an adult's right to know about his or her past.

Mr. Cousens: The Minister of Community and Social Services and the government have broken the faith with this party in letting the media get the report first and in not following through on a commitment to me that they would allow us to discuss it. In spite of that, we will look at the report seriously. It is too important to see the work Dr. Garber and Dr. Elgie have done to get this whole thing started, go awry because of what the government is doing.

Mr. McClellan: I want to welcome the statement made by the Minister of Community and Social Services with respect to improving access to adoption information. I know his statement will be welcomed by thousands of adult adoptees who are searching for their roots.

I should acknowledge as well the debt we all owe to my friend Ralph Garber, who remains my favourite socialist. I cannot help mentioning that the amendments the minister is moving this year are exactly the same in each and every respect as the amendments I moved in 1978, which were opposed and voted down by the very same member, the member for Kitchener-Wilmot (Mr. Sweeney), who now introduces them as minister.

We have another example of a belated but very welcome conversion. We will look forward to seeing the legislation and will, I am sure, have some suggestion to the minister. I still favour an open system such as that which obtains in the United Kingdom, but any move forward and any progress that can get the support of a majority in this assembly is very welcome indeed.

STABILIZATION PAYMENTS

Hon. Mr. Riddell: Many Ontario farmers, caught between high input costs and heavy debt loads, are faced with the compounding problems of low commodity prices this year.

Corn and soybean producers in particular have experienced severe financial pressure because of low prices. For that reason, I am announcing an interim payment of \$9 per ton for soybeans and \$3.50 per ton for corn. Producers registered in the 1985 grain plan offered through the Farm Income Stabilization Commission are eligible for this payment.

For these two commodities, the Farm Income Stabilization Commission plans to provide producers with support of between 90 per cent and 95 per cent of the five-year average price of the commodity, with adjustments for cash costs.

Rather than wait to give a lump sum near the end of the year, we wanted to give the farmers some needed financial support now to help with this year's crop. Payments will be made on sales recorded by the Ontario Soybean Producers' Marketing Board and the Ontario Corn Producers' Association from September 1, 1985, to March 31, 1986.

Sales data required to process the payments to producers will be provided to the commission by the soybean board and the corn producers' association to help speed payments to the producers.

2:37 p.m.

ORAL QUESTIONS

EXTRA BILLING

Mr. Grossman: My question is for the Premier, in day 14 of the doctors' strike. He has assured us from day one that his government is monitoring the situation out there and that the situation is not out of control. He has told us of his personal attention being paid to this.

In the circumstances, therefore, will he give us information, which I am sure his government has, with regard to the number of abortions that have been cancelled throughout the system, the number of bypass surgeries that have been cancelled, the number of exploratory surgeries

for procedures for cancer that have been cancelled, the number of northerners who have prepaid their travel arrangements and have lost their prepayments because their operations have been cancelled, how many children have had their tonsillectomies cancelled and how many beds are now empty, particularly in Metropolitan Toronto? If the Premier has monitored the situation, can he give us that information?

Hon. Mr. Peterson: I do not have that information, but I will refer the question to the Minister of Health (Mr. Elston), who may be able to assist the Leader of the Opposition (Mr. Grossman) better.

Mr. Grossman: No. If the Premier does not have it, that is fine.

Mr. Speaker: Order. I understand the Premier has referred that to the Minister of Health; correct?

Mr. Grossman: No. He answered the question. He does not know.

Hon. Mr. Bradley: He has redirected it.

Mr. Speaker: Order.

Mr. Harris: He cannot answer it.

Hon. Mr. Nixon: How could he know?

Mr. Speaker: Order. Did the Premier refer to the Minister of Health?

Mr. Harris: On a point of order, Mr. Speaker: I would like to know whether a question can be answered and then referred. In other words, can two or three people answer? We asked a question, we got the answer; now he is referring. It is either referred or it is not.

Mr. Speaker: I agree, and I understand the Premier referred it to the Minister of Health.

Mr. Grossman: No, he did not.

Mr. Gillies: He answered the question and then he referred it.

Mr. Speaker: Order.

2:40 p.m.

Hon. Mr. Nixon: If I might, I would like to join in the discussion. I do not know what your ruling will be, Mr. Speaker, but the Premier received the question and said: "I do not know the answer. I refer it to the Minister of Health. Perhaps he knows." Surely the question was asked with the thought that the questioner would like to be provided with the answer. The only person who might know the answer is the Minister of Health.

Mr. Gillies: The question was asked to see whether the Premier knew what was going on, and he does not.

Hon. Mr. Nixon: How could he possibly know? It is a stupid question.

Mr. Speaker: Order.

Mr. Gillies: He cannot come marching in here and say there is no problem.

Mr. Reycraft: If one asks a question, one expects an answer.

Mr. Speaker: Order. I listened to the point of order. I listened to the comment. I understood the Premier to refer it to the Minister of Health.

Mr. Grossman: No.

Mr. Harris: On a point of order, Mr. Speaker—

Mr. Speaker: Order. The member was up on the point of order, and I—

Mr. Harris: I think I can help you out of an embarrassing mistake; that is all.

Mr. Speaker: No. Order.

Mr. Martel: This has taken four minutes of question period.

Mr. Speaker: Order. The purpose of the time is to ask questions and to get responses.

Mr. Harris: We got the response. We did not get—

Mr. Speaker: Order. I recognize the Minister of Health.

Hon. Mr. Elston: At this time, I think it would be of interest to us to reflect on an answer given by a previous Minister of Health in relation to a strike in 1982.

Mr. Gordon: The minister does not know either.

Mr. Pope: This is disgusting.

Mr. Speaker: Order.

Hon. Mr. Elston: The interesting item in that situation was that there was a question that required an answer with respect to the number of operations that had been cancelled in the Kitchener-Waterloo Hospital. The then Minister of Health stood in his place and said, "It is unrealistic for you to know."

I can tell the honourable members we have taken a considerable amount of time to be in touch with the hospitals where services are being restricted. We have watched as the medical judgements and opinions have been rendered. I can tell the honourable members I do not have any running total of the categories the honourable gentleman has mentioned to us. There is some estimate of elective procedures that have been cancelled for the moment, but since they are only elective in nature, people do not always contact

us with respect to procedures that have been cancelled.

In addition to that, as the honourable member for Cochrane South (Mr. Pope) brought to our attention not long ago, it is more difficult to figure out how many people have been referred and have not been referred.

Mr. Gordon: The minister is sickening. They are all on their own.

Mr. Pope: The poor people are on their own.

Mr. Speaker: Order. Supplementary.

Mr. Grossman: I asked my original question of the Premier to determine whether he knew what was happening in the health care system. He said he did not and referred it elsewhere. I want to ask my supplementary of the Premier to see whether he can provide the information—

Mr. Speaker: Order. The supplementary must flow out of the response; therefore, it must go to the Minister of Health.

Mr. Harris: On a point of order, Mr. Speaker: I believe you made an error. The question went to the Premier; he answered the question, and the supplementary is to the Premier—

Mr. Speaker: Order.

Mr. Harris: I tried to help you out of the mistake you made before in allowing the response—

Mr. Speaker: Order.

Mr. Harris: The question is out of the Premier's answer. You are making a joke out of the question period.

Mr. Speaker: Order.

Mr. Polsinelli: If you ask a question, do you not expect an answer?

Ms. Fish: He does not know the answer. Why do you not listen to your own Premier?

Interjections.

Mr. Speaker: Order.

Mr. Gillies: They have the biggest cabinet in the history of this province, and there is not one of them over there who can answer a question.

Interjections.

Mr. Speaker: Order. I will wait. Supplementary to the Minister of Health.

Mr. Harris: He answered the question, and that is what a supplementary is to deal with.

Mr. Speaker: Order. Will the honourable member take his seat.

Mr. Gillies: We have a government that cannot answer questions half the time and refuses to answer them the other half.

Mr. Polsinelli: The members opposite do not want an answer.

Mr. Gillies: We got an answer: The Premier does not know.

Mr. Speaker: Order. Supplementary to the Minister of Health.

Mr. Grossman: The Premier assures everyone there is only inconvenience in the system, but he does not have any information upon which to base that assurance and he will not answer questions in this House.

I am forced to put my supplementary question to the Minister of Health, as opposed to the Premier. Can the minister tell this House whether he has informed the Premier of all the information I asked about a moment ago? If he has not, how can he continue to tell the people of Ontario that he has the system under control, that he is monitoring it and that there is only inconvenience? How can the minister do that when he does not have the information?

Hon. Mr. Elston: There is no secret about the fact that I communicate daily not only with the Premier but also with the people involved in administering our public hospitals, the publicly funded institutions in which the slowdown is occurring. I am also in daily contact with the College of Physicians and Surgeons of Ontario. When advice is given to me that a procedure has been cancelled or an intervention is required, we do that sort of thing.

As the member for Cochrane South pointed out in his question last week, I do not know about situations where a referral has taken place from northern Ontario until advice is given to me by the individual patient. We do our best to respond to questions when individual patients come to us. With respect to our understanding of the work of therapeutic abortion committees, for instance, all the matters that have come before those committees and all the procedures that are required as a result of their deliberations have been carried out.

I think that provides the member with an answer to his question. I have communicated directly with the Premier every day. We will keep not only the Premier but also the public up to date on the fact that medical decisions are being rendered and the system in Ontario is functioning.

Mr. Grossman: We are in day 14, and tomorrow we will enter the third week of a strike in this province. How can the Minister of Health tell the people of this province that there is no danger out there, that their safety is okay and that

there is only inconvenience, when the minister and the Premier have to rise in this House and say they do not know how many heart bypasses have been cancelled? Does the minister not have at least that information on hand? How many heart procedures have been cancelled in the past two weeks?

Hon. Mr. Elston: I remind the honourable gentleman of an article that appeared in the London Free Press wherein a medical practitioner, when asked about a procedure that was cancelled, was quoted as saying, "Do not inquire into the health of my patients." That practitioner indicated he makes medically necessary judgments and will continue to do so. Our government has indicated it wants physicians to be free to make those decisions.

I can tell the public that, from what I understand, no medically necessary procedures are being cancelled without the review of the medical practitioners.

Mr. Pope: The minister has no way of knowing that.

Hon. Mr. Elston: It seems the member for Cochrane South would rather intervene between physician and patient. That is not the position of this government.

I can tell the member that those people are providing medical services to the people of this province. We are performing. We have intervened in situations to ensure that the administrative capabilities of our public hospitals are continued and carried out. We are assuring the people here that we know what is taking place in the province.

Mr. Grossman: I invite the minister to stop reading press clippings, particularly his own, and to begin to be the Minister of Health.

Mr. Speaker: New question.

2:50 p.m.

Mr. Grossman: My question is to the Premier, if he will agree to accept it. At a press conference held at two o'clock this afternoon, the Ontario Medical Association and Dr. Railton reported that the Premier had been calling Dr. Railton several times up to midnight last night and that his suggestion for mediation, after he has taken away some important elements of health care practitioners' protection in this province, is too late and, to quote Dr. Railton, "It's baloney." Can the Premier tell us now as we enter the third week of the strike—I will wait for the Minister of Education (Mr. Conway) to finish his advice.

Mr. Speaker: Question.

Mr. Grossman: Can the Premier tell us what he now intends to do, given that he has been unable to stop the strike, that his relationships with the OMA are so badly severed he cannot do anything about it and he does not know what is happening in the health care system?

Hon. Mr. Peterson: The honourable member is quite right. I did chat with Dr. Railton last night; he phoned me at home, and I was very happy to chat with him.

As the member knows, the minister put forward yesterday what I believe is a very significant suggestion when he said he wanted to look at the issues that have always been raised by the medical profession, the so-called questions of professional freedom and liberty. We have said we are prepared to address those in substantial ways, with the assistance of a third party, if that is what they desire. They have had a chance to analyse it.

I have not seen Dr. Railton's statement from the press conference he had, and I will have to take the member's word of what he said. I have not had any official word back. We have had no official response to the offer that was made by the Minister of Health.

Mr. Grossman: The Premier's suggestions to the OMA are tantamount to Jesse James applying to be a Brinks driver.

At the press conference, the OMA indicated the strike was going to continue unabated. With regard to the Premier's attempts to appear to be anxious to mediate and conciliate, Dr. Railton said the letter the Premier had his minister write indicates the Premier did not intend to mediate since he first brought up the question of mediation in the House and, unbelievably but not surprising to those of us who work in this Legislature, gave the letter addressed to Dr. Railton to the media before he had it delivered to Dr. Railton. Given that this is the way the Premier intends to try to stop the strike, what is he now suggesting he is going to do next in the circumstances?

Hon. Mr. Peterson: It is obvious the member has a new private investigator writing his lines in the House.

Let me say that offer was made in good faith by the minister; it was conveyed immediately to Dr. Railton. As the member knows, I have had the opportunity to speak to a large number of doctors in the past few weeks. Almost everywhere I go, I have an opportunity to chat with doctors. I am always delighted to see them, share my views with them and get their insights into the question. A lot of the doctors I have talked to were not

always aware of the kinds of things that have been going on in the discussions the minister has been having on an ongoing basis for the past year with the medical profession. Even though we live in this great information age, sometimes all the details are not transmitted down.

I think it is important that the whole medical community understands the view of the government in this matter. That is why we have put forward specific suggestions that would address the specific concerns they have raised. They believe it is a matter of professional freedom, I gather, and I accept that at face value. We have said we are prepared to address those concerns in a real way. That is what we have offered, and I hope the OMA will look at the situation and, if the member tells me they have rejected that today, I hope they will reconsider.

Mr. Grossman: The people the Premier has to try to accommodate, having called them overrated, overpaid gougers, are saying his deathbed repentance is baloney. That is the circumstance he faces. Given that, I have a proposition to put to the Premier.

Mr. Speaker: By way of question.

Mr. Grossman: I propose this afternoon to call Dr. Railton—

Mr. Foulds: Right now?

Mr. Martel: Got a dime?

Mr. Warner: Where is the phone?

Mr. Speaker: Order.

Mr. Grossman: I will invite him and his people to meet with me in my office over the next couple of days to see whether, together, we might be able to develop the kind of package the Premier is unable to develop because of the way he has handled this.

Mr. Breaugh: Here is the mediator.

Mr. Epp: The member wants to play Premier.

Mr. Speaker: Order.

Mr. Grossman: If we are able to come to some sort of proposal—

Mr. Martel: Is the member for real?

Mr. Grossman: I will wait until his advisers are finished.

Mr. Speaker: Question?

Mr. Grossman: If we are able to come to some sort of proposal, will the Premier be willing—

Mr. Warner: This is fascinating.

Mr. Martel: Is he for real?

Mr. Grossman: Mr. Speaker, I will wait until you get order from the New Democratic Party.

Mr. Speaker: Order. Do you have a question?

Mr. Harris: We need more order in the House to ask the question. Everybody else gets called to order.

Mr. Pope: It is all right. Only sick people are involved.

Mr. Speaker: Order. Please put your final supplementary question.

Mr. Grossman: When we put questions in the House, Mr. Speaker, we are entitled to the same kind of peace that you demand when the ministers give answers.

Mr. Speaker: Do I understand you have no further supplementary?

Mr. Grossman: No, you do not.

Mr. Speaker: Place your supplementary.

Mr. Grossman: Since we are going to invite the OMA to meet with us to see whether we can accomplish a package which the Premier obviously is unable to put together with it, will he agree to join that meeting if, as and when it becomes appropriate to put that proposal to him?

Hon. Mr. Peterson: It was my impression the Leader of the Opposition was in constant touch with the OMA and, as a matter of fact, that was what he used his telephone for and why he wanted it back. If this is a new call, I am interested. The member can probably excuse his colleagues in the House, who have known him for almost a decade, for snickering when he made that suggestion. The Treasury is still reverberating from the last meeting he had with the doctors a little while ago.

We are obviously searching for constructive suggestions. In fairness, I must say I have never seen the member in the role of conciliator or mediator. Others may have, and I may have misjudged some of his characteristics. There are always hidden sides to everyone's character, and he may have some talents I have not seen.

If the member has any good ideas, we are always interested. So far, I have not heard any. However, if the member is asking me to back off the bill, the answer is the same as before. Frankly, I do not think most people observing us think his suggestion is very credible.

ALLEGED CONFLICT OF INTEREST

Mr. Wildman: I have a question arising out of the Premier's statement related to the allegations regarding the member for Cochrane North (Mr. Fontaine). Can the minister confirm that this is a quote from the report the minister filed: "No share interests in public corporations"? If so,

does his own statement not indicate that was an inaccurate statement? Does he believe that such a statement from a minister of the crown is acceptable? Also, can he explain why, when rumours of this matter have been rampant for some weeks, he apparently took no action until the matter was raised in the Legislature?

Hon. Mr. Peterson: The honourable member says rumours have been rampant for several weeks. I can tell him I never heard the rumours. I had never heard of Golden Tiger until yesterday in this House. I had never heard of the situation. The member says rumours were abounding for some wide period. I had heard rumours that the Conservatives were trying to get the honourable member and had detectives on him, but I had not heard of this situation.

Mr. Mancini: Get the police dogs out.

Mr. Speaker: Order.

3 p.m.

Hon. Mr. Peterson: Very serious allegations of fact have been made in this House and I take them very seriously. All I knew, as of yesterday, was the charges that were levelled in this House. I immediately undertook to ascertain the facts. As I said to members today, the minister has told me that, as of the filing on January 31 or so, he owned no shares in public corporations. Thus, there is obviously a serious difference between the facts as put forward in this House and the things the minister has told me today.

He is now in the process of gathering up all of those facts and substantiating his facts with documentation. He will be in the House tomorrow to share that information with members. I am sure my honourable friend, being a fair-minded member of this House, would like to hear the facts according to the minister, with supporting documentation.

It appears at the moment that the member for Sarnia (Mr. Brandt) has one understanding of the facts, which he presumably believes in, and the minister has told me other things. The member will want to hear those facts laid out in the House tomorrow, I am very sure.

Mr. Wildman: The Premier's own statement indicated there was one block of about 17,000 shares still held by the minister but in escrow, as I understand it. If that is the case, is it a tolerable situation for a minister of mines of this province, who is responsible for administering the Mining Tax Act, the Ontario Mineral Exploration Program Act and the Mining Act, to hold shares, even if they are in a blind trust or in escrow, in a

company that is apparently doing business in mining in this province?

Hon. Mr. Peterson: As I told members, the minister is going to have a very clear statement tomorrow, and I know my honourable friend, being fair-minded, would not want to prejudge these things. These questions can be put in a very specific way.

Without knowing all the facts, just on the basis of what I have been told so far, my understanding is that some of those shares were in escrow because of some other financial arrangement and the minister had no control over that situation.

He will share with this House the view that he had legal advice that this conformed with the conflict-of-interest guidelines. The member may well have the view—and frankly, it may be shared by many members of this House—that the conflict-of-interest guidelines are inadequate. That is a constant source of worry to me. However, I believe that, as fair-minded members, they would want to hear the facts laid out tomorrow. I am looking forward to that.

Mr. Philip: Would the Premier not agree that under his guidelines: (1) there is a requirement that there be a disclosure even if the shares are held in escrow; (2) if there are any changes in the composition or ownership, there is a requirement on page 2 for a disclosure; and (3) it now appears from the Premier's statement that at least some of the shares are not in the hands of a trustee who is licensed under the Loan and Trust Corporations Act of Ontario? Will the Premier not admit that, even from his statement, there are three obvious violations of his own guidelines?

If there are three violations, why would he not ask the minister to step down, in the same way as the former Chairman of Management Board of Cabinet, the member for Oriole (Ms. Caplan), stepped down, until there can be a free, independent inquiry into this matter? Or does he have a double standard; one for the Chairman of Management Board and one for this minister?

Hon. Mr. Peterson: Frankly, I do not think the situations are quite parallel from this point of view. The former Chairman of Management Board laid the facts before this House, and I think there is some difference with respect to the interpretation of the conflict-of-interest guidelines as they pertain to those facts. Discussion has started in that regard.

In this case, the member for Sarnia has made very serious allegations of fact. On the basis of what I know today, the facts as he put them in this House are not correct and the facts the minister will bring tomorrow—and this is on the basis of

what I am told—differ substantially from that. It is not a question of the interpretation of the conflict-of-interest guidelines; they are different facts.

We will go on to the third point. The member would say that anyone against whom a charge is levelled in this House, or at least a minister of the crown, presumably, should resign. The member will be aware, because he has been around here a long time, that ministers are charged regularly with a great number of things. I remember many of them in the past.

Is the member saying a minister should not have the opportunity to put the facts clearly before the House, but that any time there is an allegation there should be an immediate withdrawal on the presumption of guilt? I do not think we want to put any of us in that position. If the member is suggesting we need a thorough review of the conflict-of-interest guidelines or other ways to handle these difficult situations, I am completely with him in that regard.

There is no more troublesome issue to a first minister than the one that has been raised here and that has been raised in the House many times before. We search for advice on how to handle that, because we recognize our responsibilities to the public in that regard.

EXTRA BILLING

Mr. D. S. Cooke: I have a question of the Minister of Health. Has he had an opportunity to look at the case that was outlined in the *Toronto Star* yesterday involving Tiffany Rutherford, aged two, who went four days without treatment from the medical care system because of the doctors' strike? Is he satisfied with the letter sent out by the College of Physicians and Surgeons of Ontario on June 19, signed by Dr. Catton, which states, "The issue now before you and before your council is to ensure that such protests are made without endangering patient life or health"? Is the minister satisfied that this individual's health was not endangered by the strike?

Hon. Mr. Elston: I reviewed the report that was in the press but I have not had a chance to review it fully with the college. That is the situation as it stands right now.

I am concerned that the report in the papers was that, had there been any further delay, there could have been a more permanent problem for that patient. The situation was reported to be one of a very serious nature and we will be following up this matter more specifically with the college.

Mr. D. S. Cooke: Since the doctors of this province have decided that public hospital emergency wards will be closed and also how many doctors will staff public hospital emergency wards, can the minister tell us who owns the hospitals? Who controls the hospitals of this province? Is it the doctors or the people of the province?

Hon. Mr. Elston: The member knows, from his role as Health critic, that the independent boards of trustees are the people who make the decisions about what happens in their hospitals. They pass the bylaws. They make decisions of a business nature with respect to what happens in those facilities. They have in place certain mechanisms whereby people make determinations of a medical nature. The public of this province is responsible for those public hospitals.

Mr. D. S. Cooke: If the public owns the hospitals, I do not know why the Minister of Health and this government are allowing the doctors to do what they are doing to the health care system of this province.

Last night I was in Windsor, my home community, and I read in the paper that Dr. Donald Nassr, the chief of psychiatry at the Metropolitan General Hospital, has decided to carry out a one-man strike. He controls nine beds in a psychiatry ward at the hospital and all nine are empty because he refuses to admit anyone into those beds he controls.

First, does that not violate the letter the college sent out? Second, does this not demonstrate that a profession is trying to take away the health care system we own? When is this government going to have the guts to take that system back for the people of this province?

3:10 p.m.

Hon. Mr. Elston: The honourable gentleman may be suggesting the physician is putting his patients at risk. If that is what he is indicating, then there will be a follow-up on that matter.

When people make decisions, and there are decisions made every day about whether treatment is required in an institution or whether that treatment can be delivered in another area, those decisions are made from a medical standpoint. When it comes to decisions about who has admitting privileges, who does not have admitting privileges or who is able to make use of the facilities, these matters are determined under the bylaws and at the discretion of the people who are on the boards of directors of those independent institutions.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have a question of the Premier, who has indicated in a number of statements he has made with respect to the Minister of Northern Development and Mines (Mr. Fontaine) that this is a very complex issue. I want to share with the Premier a document I will pass over to him. It is a disclosure of public holdings that was filed with the Clerk of the House on January 31, 1986. Would the Premier state in a very clear and concise way to this House whether that document is accurate and whether the minister owned shares in Golden Tiger as of that date?

Hon. Mr. Peterson: Very simply, the answer is that the minister tells me he did not. That is what he tells me.

Mr. Brandt: Not only does the Premier's own statement not indicate that, but also it is very strange that the minister himself would find it necessary to dispose of shares on March 3 but not to disclose the ownership of those share at a prior time when the evidence would indicate very clearly that he did have ownership of those shares at that point.

Hon. Mr. Scott: On March 3?

Mr. Brandt: Yes, on March 3, and today he still owns those shares.

Mr. Gillies: Today he owns 17,000 shares.

Mr. Speaker: Order.

Mr. Brandt: I will attempt to simplify what has apparently become a rather complex issue. Surely, the Premier would know within 24 hours why his minister had to make certain transactions in March with respect to those shares, whether he owned the shares on January 31 when he made disclosure and, if he did not make disclosure because he did not own them, as the Premier is now putting before the House, why he did not make a supplemental affirmation of his ownership of the shares at some later date or bring to the attention of the public that he owned them?

As my friends in the third party have said, here is a minister who is involved in lumbering and in mining and yet the public does not know about his ownership in this particular company.

Hon. Mr. Peterson: I am not sure I can satisfy my honourable friend opposite. I think he, as a fair-minded member, will want to be careful and not make allegations in the absence of all the facts. I told him there would be a statement here tomorrow.

My understanding is—and I hope I am not wrong—that the sale was registered on March 3.

As frequently happens in share transfer registers—that is obviously the document the member's detective checked—the sale took place prior to that, prior to the filing on January 31. That is my understanding of what went on, and the answer specifically to the member's question.

Mr. Speaker: New question.

Mr. McClellan: I have to ask virtually the same question of the Premier. In his statement today, the Premier said the minister owned two lots of shares. The first lot was sold and the second lot consists of 17,172 shares that are held in escrow. My question is very simple. Does the minister own those shares and did he own them on January 31?

Hon. Mr. Peterson: My understanding is they were in escrow. My understanding is he has no control over those particular shares. That may not satisfy the member. I am not in a position, legally, to answer all these questions at present. I am sure the honourable member wants a full explanation of that, which will presumably be coming forward tomorrow.

Mr. McClellan: The facts appear to be that he owned the shares and submitted a form on which he said he did not own the shares. Is the trustee of the second lot of 17,172 shares registered under the Ontario Loan and Trust Corporations Act?

Hon. Mr. Peterson: I do not pretend to be an authority. That is my understanding. It is Guaranty Trust and it is registered in Quebec and Ontario.

Mr. Pope: I know the Attorney General (Mr. Scott) thinks this line of questioning is contemptuous, but let me deal with the Premier's knowledge.

Hon. Mr. Scott: I said it was contemptible.

Mr. Pope: Contemptible. I am not talking about the member for Cochrane North. I want to ask the Premier a question about his knowledge.

On September 3, 1985, the Kingston Whig-Standard, after interviewing the Premier's colleagues in his caucus from eastern Ontario, reported that the Premier personally and his office had "examined every facet in the MPPs' personal and financial life. No detail was left unturned. Every member of the Liberal caucus was grilled for hours. A detailed questionnaire had to be filled out and sent to the Premier's office.

"When two of the eastern Ontario MPPs...were elevated to cabinet posts, the screws tightened another notch. The Liberal leader was determined to make sure that his

fragile government would be free of even a hint of scandal."

Did the Premier know, during the course of the early interviews by himself and his office staff, about the holdings of the member for Cochrane North?

Hon. Mr. Peterson: I personally did not know.

Mr. Pope: Is this article accurate? Did the Premier and his office examine in detail every financial aspect of every member of his caucus in August 1985?

Hon. Mr. Peterson: At the transition time, an independent lawyer was brought in to survey all these matters. A member of the firm of Tory, Tory, Deslauriers and Binnington was brought in to analyse these situations in conjunction with Blenus Wright. If the member is asking me whether I—

Mr. Laughren: That was the problem.

Mr. Martel: No wonder he is in trouble.

Hon. Mr. Peterson: I am answering the question. I did not personally survey all these matters. I asked for advice and asked whether everything was fine and that was what I was told.

WATER QUALITY

Mrs. Grier: I have a question for the Minister of the Environment about one aspect of his white paper that is distinctly vague. The minister told us he is going to control the 200 industries that discharge directly into Ontario's waterways. He is not going to impose controls on the 12,000 industries that discharge into sewage treatment plants. It appears from the white paper that a large producer of organic chemicals will be controlled, but a small one can continue to use dilution as his solution to pollution.

Can the minister tell the House why he is not imposing stringent limits immediately on these 12,000 industries or, at the very least, by mid-1987 when the 200 will be controlled?

An hon. member: Do not water down your answer.

Mr. Guindon: Do not pollute.

Hon. Mr. Bradley: Pardon? Do not dilute the answer?

Mr. Speaker: On the original question.

Hon. Mr. Bradley: I will try not to dilute the answer for the member for Lakeshore. There are more interruptions coming from the member for Cornwall (Mr. Guindon), but I will ignore them, Mr. Speaker, because you always instruct me to do so.

The member identifies two different ways in which effluent can be produced and go into a waterway. One is the direct way that goes directly into the waterway.

Interjection.

Hon. Mr. Bradley: The member for Sudbury East (Mr. Martel) is interested and he should listen. This is where one catches the major polluters, as I have indicated, the direct effluent going into the waterways, which is the responsibility of the Ministry of the Environment. In addition, the ministry has legislative responsibility for the effluent produced by sewage treatment plants across the province. We have given instructions through the white paper and the suggestions—for which we are looking for reaction within the next 60 days—that sewage treatment plants will be evaluated, will be monitored and will have abatement procedures applied to them.

There are two ways in which municipalities can deal with this matter. It is very likely that the way in which they will deal with it is through the bylaws they have for the discharge of sewage from any of these sources within a municipality into the sewage treatment plant. That is what they have responsibility for. We in the ministry are pleased to assist the municipalities to deal with that matter in any way we can.

3:20 p.m.

Mrs. Grier: It sounds as though the minister is putting upon municipalities, which are inadequately equipped to control, the responsibility for a job the ministry ought to be undertaking itself.

It is now a year since the minister took office and there has been no diminution in the amount of discharge to waterways. It appears from this white paper that it is going to be another three or four years before there is any diminution of the amount that is being discharged. Can the minister tell us what he is going to do in the interim?

Hon. Mr. Bradley: The member forgets—and I am sure she might be able to recall if she thought about it for some time—that there are many ways in which effluent going into the waterways is controlled at present. Some of them are by certificates of approval; some are by control orders. On an ongoing basis, certificates of approval are evaluated, particularly when a problem is identified. Control orders are a dynamic process at this time.

She would know of the Chipman incident, for instance; I think of Ontario Paper, where there is a public process for evaluating a previous control

order and upgrading or updating that control order. All around the province we are going through the procedure of evaluating and upgrading those control orders on an almost daily basis.

We see a diminishing of those products going into the environment. Of course, that is in addition to the program we have outlined. I know the member would want to have sufficient opportunity for environmental groups and others who are going to be directly affected by this to have the input that the white paper provides for.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have a question for the Premier. There are 17,172 shares, according to the statement he delivered to the House earlier today, that are currently in escrow on the part of the member for Cochrane North (Mr. Fontaine). Would the Premier indicate to this House whether, in his opinion, the member for Cochrane North owns the shares he has in escrow?

Hon. Mr. Peterson: I am not in a position to give the member a legal opinion on that matter. He wants to try to force this out of me at the present time.

Mr. Grossman: Why make a statement on it, then?

Hon. Mr. Peterson: I was trying to share what I knew, what I am told at the present time. I told the member that the minister was coming back. Would he prefer that I say nothing today?

Mr. Grossman: The Premier has had a day to ask him whether he owns them.

Hon. Mr. Peterson: I think the member opposite wants to be somewhat fair-minded about this situation and append all the facts. Then he can ask any questions he likes on the situation. I do not pretend to be an expert on this. As the member knows, when one escrows one's shares, one has absolutely no control over them, as I understand it.

Mr. Grossman: It is not a question of control.

Hon. Mr. Peterson: Why does the Leader of the Opposition (Mr. Grossman) not answer the question? He can help his friend out, because he knows everything.

Mr. Grossman: I would have found out in one day, I can tell the Premier that, and he would have been gone if he did.

Mr. Speaker: Order.

Mr. Brandt: The Premier will find in his review of the conflict-of-interest guidelines that the fact the 17,172 shares are in escrow implies

ownership—not necessarily control, but ownership—of those shares. Will the Premier indicate to this House when the Minister of Northern Development and Mines disclosed publicly the ownership of those shares, which he ostensibly has in escrow?

Hon. Mr. Peterson: As I understand it, escrow means, by definition, that one does not have control. They are in escrow under the control of someone pending certain other resolutions. That is the situation.

The member is trying to say the minister was hiding something.

Mr. Brandt: No, I am not saying that. He has a responsibility to declare—

Hon. Mr. Peterson: Sure, he is saying that. The member is entitled to make his judgements on these matters. However, all these facts will be made public tomorrow.

I am not a lawyer. I was, but I have lost my QC. I have given up my QC, and I never was a very good lawyer. As the member knows, I am living proof of why QCs should not exist. I have never practised.

The member can ask all these legal questions in his pursuit of my honourable friend. He can make his points in that regard. He is suggesting that the minister is trying to hide something, that he was manipulating them and that sort of thing. I have told the member what I know today. I hope he will hear the minister out tomorrow.

NORTHERN DEVELOPMENT

Mr. Morin-Strom: I have a question for the Premier regarding the report of the standing committee on resources development, which was tabled in the Legislature earlier this week. This is the Report on the Impact of the Announced Layoffs at The Algoma Steel Corporation Limited in Sault Ste. Marie and Wawa, a report which contained a number of very good recommendations for the government for action to improve the economic situation in that area.

Has the Premier reviewed this report? Does the Premier agree with the recommendations of this report that have been supported by the members of all three parties on that committee? When the Premier comes to Sault Ste. Marie in July—it is well known in Sault Ste. Marie that he does have a visit scheduled for that time—will the Premier be making announcements on the specific recommendations of this report for the Sault and area?

Hon. Mr. Peterson: I have been gathering a great deal of advice with respect to the problems of northern Ontario, including from the members

of this House. In my opinion, it has been a remarkable co-operative effort and some very constructive ideas have been put forward by the members of the opposition.

As I understand it, that report has not been debated in the House but it is one of the sources of information we will be using, as I have told my honourable friend. We have been working very hard on a number of long-term and short-term initiatives for northern Ontario and I hope, as he knows, to have an announcement fairly soon.

I heard some of his colleagues have already made some of the announcements on our behalf. I want to thank him for anything he can do to spread the information.

Mr. Morin-Strom: Surely the Premier realizes that we have two economies going on in this province. I am sure he is aware from the Treasurer (Mr. Nixon) that the revenues from the growing economy in the south are expanding and surpassing the expectations we had last fall.

Are the Premier and his government going to take action to see that those revenues from the growing economy in the south are diverted to those areas of the province such as Sault Ste. Marie, but other areas as well, to ensure that we have a more balanced economy in this province and that those areas which are not growing are given the economic and public resources to turn around those areas so that we have more jobs available for those who really need them?

Hon. Mr. Peterson: I do take the matter extremely seriously. It has a very high priority for this government. As I have said, a lot of thought has been put into it. The member lays out the problems very well.

As he knows, the Treasurer has substantially increased the allocation for the northern development fund but there are other initiatives required as well. There is no one solution to the problems of the north, as I am sure my honourable friend would agree with me. There is a myriad of small things as well as some long-term approaches to the problem.

I just hope when we make the announcement in the not-too-distant future of what we have in mind—and believe me, we have been canvassing every option—that we will have the member's assistance and the assistance of his colleagues in making it work, not just in the short term but over the long term as well.

COMPUTER CONTRACTS

Mr. Gillies: I have a question for the Premier about computer contracts. The Premier will know that on June 10 we put a question in Orders

and Notices asking him to provide us with the names of all companies that have received contracts in the past year to provide computer software or hardware to his government and whether these contracts were tendered.

In reply to the question in Orders and Notices, the acting Chairman of Management Board, the member for Brant-Oxford-Norfolk (Mr. Nixon), tells the opposition that this information will not be available until approximately October 10. Is the Premier's government so disorganized it cannot get this information together for four months, or does he have it and he just does not want to tell us?

Hon. Mr. Peterson: There are literally scores and scores of contracts with respect to computer services for the various ministries. I am very happy to share the information. We are gathering it up, as the member knows. I am not the one who does it personally, but he constantly tries to create the impression that we have something to hide. We have nothing to hide.

Mr. Gillies: When he gets around to freedom of information legislation, I hope we will not constantly be required to wait four months for information.

By way of supplementary—

Mr. Grossman: Why does the Premier not give the information? He should bring in his bill.

Hon. Mr. Scott: The member is not going to talk about freedom of information, is he? In a decade, his government never produced a bill. His party should not dare talk about freedom of information.

Mr. Speaker: Order.

3:30 p.m.

Mr. Gillies: The Attorney General (Mr. Scott) is clearly uncomfortable about the closed nature of this government.

When we asked in questions in Orders and Notices about the Exploracom project, we also asked for some very specific information, which was not provided. I ask the Premier again: Will he table with this House the current proposal put before the government in writing by Exploracom? Will he table the minutes of any meetings that were held between Exploracom and his government? Will he table correspondence between Mr. Schwartz and the ministry, and will he table the financial arrangements that are being entered into between his government and Exploracom? Those things were not contained in the information he brought forward yesterday.

Hon. Mr. Peterson: If my honourable friend is frustrated in his search for something, he

should just put the question on the Orders and Notices paper and it will help him to find it.

Mr. Gillies: We did.

Hon. Mr. Peterson: He did? The relevant information was tabled, to the best of my knowledge, plus comparisons. We thought it was important to compare the way his government used to make grants compared to the way ours makes them. He should want to look into those matters. Some of his own announcements for the International Telecommunications Discovery Centre in Brantford had absolutely no scrutiny at all until he announced it with the help of his friend. We are happy to share all of that.

As the member knows, one thing we cannot make public is cabinet minutes. However, as I understand it, all the information was made public. I have not read all the information—I do not check it, obviously—but what was available was provided to him. If he has specific questions, if he thinks there is some collusion, then he should stand up and say so. Just because he does not find what he is looking for does not mean it is not there.

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mr. D. S. Cooke: I have a question for the Minister of Health. He will understand the AIDS Committee of Toronto has asked for additional funding to deal with the support services and the health education it now provides. Why has there not been approval for this extended funding, since this organization provides health education and prevention as well as support services to the victims of acquired immune deficiency syndrome in Toronto and throughout the province?

Hon. Mr. Elston: With respect to that committee, we have provided it with funding in the past. It was the subject of a considerable portion of the Queen's Park report of the member for St. George (Ms. Fish). She announced that last year we made a decision to fund them. We have funded them again this year. In fact, we made some arrangements to provide some cash flow.

I can tell the honourable gentleman that one of the biggest problems has been the fact that the federal authorities have not come through with funding to the extent the committee had hoped. I can also tell him that considerable effort is going into health education with respect to AIDS through the Ontario Public Education Panel on AIDS, and we are very interested in not getting into a situation where we have duplication.

Mr. D. S. Cooke: I know the Ministry of Health provides \$100,000 per year, but the minister will also understand that \$100,000 per year works out to the cost of two cases if individuals come down with the disease. Does the minister not understand that it would be a much better investment to put money into counselling and into health education? While the federal government will not live up to its obligations, he is the Minister of Health, and health, the last time I looked, was a provincial responsibility. Will the minister not reconsider further funding for the AIDS Committee of Toronto?

Hon. Mr. Elston: With respect to this matter, I am not sure a formal request has been made, although I have heard they are interested in receiving extended funding.

I have to indicate to the honourable member and to the people of the province that we are concerned about the question of educating people with respect to the nature of AIDS. We have continued to do that by developing a consistent approach to developing materials that not only can be distributed in Ontario but have also been made available to the federal authorities and to the Health ministers of each of the other provinces.

We have done a considerable amount of work under the auspices of Dr. Jay Browne and OPEPA. We are making great strides in providing that educational material and making it available throughout the province and in Toronto. We have provided funding for them. We are interested in what they are doing and how they are performing for the public. I have indicated that publicly on many occasions. The people from the AIDS Committee of Toronto also help to serve on OPEPA. I think we are doing a very good job with respect to providing educational material.

BUSINESS PROGRAMS

Mr. Ferraro: I have a two-part question for the Treasurer. Many small business people to whom I have spoken at the committee of parliamentary assistants for small business, which I chair, and throughout this province have many positive things to say about the recently announced budget, and indeed they should, but they have also put questions to me and I assured them I would ask the Treasurer in the House.

The first question is whether there is consideration by the Treasurer and his ministry of extending the employee share ownership plan to larger corporations. The second question, which

I hope the Treasurer can answer, is with regard to a further extension of the small business development corporations program, particularly to the service sector.

Hon. Mr. Nixon: The employee share ownership program is in the process of formation. I hope to have a bill before the House in the fall. I have already made an announcement in the House asking for the views of the members, the financial community, organized labour and the working community in general. The idea is that it not be used as a reward for senior executives but that it allow working people in a corporation to participate.

As far as extending SBDCs into the service sector is concerned, there was an extension in the budget this time into software and certain other aspects. My concern at the moment is that the money available through SBDCs be taken up more enthusiastically. We think it is a good program, and it is my job to see that the business community is aware of it and knows of its availability to finance the entrepreneurial expansion that is so important to jobs and economic progress in Ontario.

CHILDREN'S AID SOCIETY

Mr. Cousens: I have a question for the Minister of Community and Social Services. The minister's assistant has made a completely irresponsible statement to the press that not one child has been harmed by the strike at the Children's Aid Society of Metropolitan Toronto.

A six-year-old boy was featured on the CBC news last week who has regressed to violent behaviour after being sent home from a treatment centre three weeks early. Children were moved out of the Lloyd S. Richardson Residence group home who are so uncontrollable that one was just in the hospital for stitches. There are children in abusive environments, cut off from their social workers.

The minister has the final responsibility to ensure that these children are protected. When will he get involved in this strike at the Children's Aid Society of Metropolitan Toronto?

Hon. Mr. Sweeney: I have been advised that the staff and the board of the society are meeting again this afternoon to renew their negotiations. I understand the board is prepared to make a new offer, and I have very high hopes that the staff will accept the offer.

PETITIONS

EXTRA BILLING

Mr. Jackson: I have a petition signed by every single patient of a specific doctor's office

in my constituency. He is a doctor who has not taken any job action during the course of the strike. Every one of his patients has asked that the following petition be read to the Legislature:

"I am concerned that the passage of Bill 94 will ultimately affect the accessibility of health care by the inevitable reduction of services that come with nationalized medicine. I am anxious not to see reductions in the time and care being given to me and to my family now and in the future by my physician. I ask you to acknowledge that the issue of extra billing is a separate issue which should not be used to confuse the public into acceptance of a package which will ultimately be used to reduce medical services in a way over which the medical profession and the public have no control."

3:40 p.m.

HIGHWAY CONSTRUCTION

Mr. Wildman: I have a petition signed by 24 residents of the community of Dubreuilville which reads:

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"The citizens of Dubreuilville respectfully request that the ministry improve the design and construction of secondary Highway 519 to Dubreuilville. Our request includes the following: (1) that the first section of Highway 519 be redesigned to eliminate or improve the three main curves in order to avoid serious accidents; (2) that the 10-mile hill on the second section of Highway 519, presently under construction, be lowered sufficiently to facilitate travel for logging trucks and other heavy equipment; (3) that the EGO mine curve or 7.2 km curve into town be improved also; (4) that the ministry seriously consider replacing the Bailey bridge situated at the entrance to town.

"The citizens of Dubreuilville have been waiting 20 years to have this road reconstructed, and they would like to have it done properly the first time to improve safety and driving conditions for all who must travel on Highway 519."

I have a second petition from the residents of Renabie and Missanabie at the border of Algoma and Nickel Belt ridings, in addition to the previous one submitted to the House. This petition is signed by 28 residents and reads:

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the Ministry of Transportation and Communications provide the funds to upgrade and straighten out a number of dangerous curves on the road connecting Missanabie to Renabie Gold Mines and Missabay Mining Inc."

ABORTION CLINICS

Mr. Ferraro: I have two petitions to present, one with 28 signatures on it and the other with 24 signatures on it, from my riding; they essentially state:

"The Morgentaler and newly opened Scott abortion clinics are in violation of section 251 of the Criminal Code, wherefor the undersigned, your petitioners, humbly pray and call upon parliament to immediately enforce the closure of the aforementioned clinics, and as in duty bound your petitioners will ever pray."

Mr. McCague: I have a petition signed by residents of my riding protesting the unlawful abortions being performed at the Morgentaler clinic.

GASOLINE PRICES

Mr. Gillies: I have a petition signed by 1,200 long-suffering residents of Brantford, which reads:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We request the government of Ontario to reduce gasoline tax by 1.1 cents a litre, from 8.3 cents a litre to 7.2 cents a litre, immediately and to phase in further reductions over three years to 5.4 cents a litre by 1989."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr35, An Act respecting the Young Men's Christian Association of Cambridge; and

Bill Pr37, An Act respecting the City of Toronto.

Your committee begs to report the following bill as amended:

Bill Pr5, An Act respecting The Public Utilities Commission of the City of Scarborough.

Your committee further recommends that Bill Pr4, An Act respecting the Windsor Youth Marching and Concert Band, be not reported.

Motion agreed to.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Ms. Fish, on behalf of Mr. Brandt, from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill 7, An Act to amend certain Ontario Statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms.

Motion agreed to.

Bill ordered for third reading.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Nixon moved that Mr. Offer and Mr. Poirier exchange places in the order of precedence for private members' public business.

Motion agreed to.

ORDERS OF THE DAY

SHORELINE PROPERTY ASSISTANCE AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 43, An Act to amend the Shoreline Property Assistance Act.

Mr. Brandt: I apologize to the House for the delay. I did want to speak further on this matter. I had covered a number of points, as members will recall, with respect to some of the difficulties of shoreline protection and the high water levels being experienced in the Great Lakes.

Mr. Speaker, to your knowledge, is the minister going to be in the House?

Hon. Mr. Nixon: I will see that he is called in. Meanwhile, I will listen attentively and convey the member's views.

Mr. Brandt: Will the Treasurer pass on to the minister all the comments I am about to make?

Hon. Mr. Nixon: Yes. I will make notes.

Mr. Brandt: I am sure the Treasurer will. One of the points that is fundamental to this bill and that is conspicuous by its absence is the fact that there are no measures within the bill itself which provide any relief for municipalities to undertake any shoreline protection.

The minister has taken some initiatives with respect to unorganized municipalities and the

provision for assistance to property owners who live in those municipalities. I complimented him on that when the bill was originally tabled in the House. That was a point that was overlooked in the previous administration—I admit to that—and it is a step in the right direction. However, a number of very serious shoreline problems are developing throughout the Great Lakes system and particularly in the area I identified in my initial statements when we first discussed this bill.

The problem on the Great Lakes has increased not only because of natural elements that are taking place in the Great Lakes region but also as a result of urban changes. The construction of both storm and sanitary sewers is an example, as is the development of drainage systems on agricultural land. These provide relief and provide a better quality of life for people who live on the land, but the fact of the matter is that the water that is discharged from the land moves far more quickly into the Great Lakes basin, into our rivers and into our lakes and thereby causes a quick elevation of water levels, which have now reached historical highs.

At one time, there was a belief that the Great Lakes ran on a cyclical seven-year period, that the water went up and down every seven years. It was relatively predictable; there was some shoreline damage, there was destruction that occurred and there was some loss of dollars in terms of lost property, but nothing even remotely resembling the level of devastation that has occurred over the course of the past couple of years.

3:50 p.m.

The historic highs we are experiencing at the moment are causing literally millions and millions of dollars worth of damage. It has been estimated that during the course of the past few years, on both the American and Canadian sides of the Great Lakes, primarily in Lake Erie and to a lesser extent, but equally destructively, in Lake St. Clair and along the Detroit and St. Clair rivers, there has been extensive shoreline damage in the amount of close to \$1 billion.

Areas such as Long Point have lost literally thousands of acres of land because of waters that are no longer going through any kind of historical cycle, waters that are no longer reflecting the ups and downs that occurred over the course of the past few years, but are apparently going to remain at tremendously high levels as a direct result of some of the changes I mentioned.

Now that the minister is in the House, I will recap quickly what I have indicated. The

problems of high waters are caused not only by increased precipitation, snowfall, rainfall and those kinds of things but also by urban development and the complexities that has brought about.

The government has to look beyond some of the measures on which I complimented the minister, if he will recall my opening comments when we originally discussed this bill. I applaud him for the two specific measures he has taken to improve and to strengthen the response of the government. I say that in a very charitable sense. He could have gone further.

It is now necessary for him, the Minister of the Environment (Mr. Bradley) and the Minister of Natural Resources (Mr. Kerrio) to sit down and come up with a game plan that will respond to a problem the likes of which we have never seen in the Great Lakes region, namely, historical high waters that are causing levels of destruction that are not simply a result of increased rainfall or snowfall in certain regions of our province.

One of the solutions is to look very carefully at the plan known as 25N, which deals with the Niagara Escarpment. It deals with a way in which we can increase the funnel, if you will, that is occurring at Niagara Falls, to allow more water to be released more quickly. The engineering estimates I have received indicate we can lower the Great Lakes level not by inches but by feet if we take very seriously the provisions outlined in 25N, of which I am sure the minister is aware, and allow for an increase in the outflow of water to lower the levels of the basin that are being blocked up behind the Niagara gorge.

I realize that is an extremely environmentally sensitive area. There would have to be extensive engineering studies. I also fully appreciate it is not a problem of this ministry alone. It will require detailed environmental research and planning. There will have to be extensive negotiations carried out with respect to our American friends.

I suggest to the minister this is one element of the bill that seems to be somewhat in shortfall with respect to what it should be addressing, namely, not only direct assistance to home owners but also more comprehensive assistance to municipalities directly and, further, to the kind of comprehensive assistance and change I suggest is absolutely essential if the government is going to bring about an overall improvement in the unacceptably high levels of water we are experiencing at present.

I could go on at some length, but I understand there may be other speakers who want to have

input on this bill. I hope the minister will take my brief remarks very seriously. I will be happy to co-operate with him in any undertakings he may initiate in the direction I suggest, with respect to the Niagara gorge solution in particular.

Mr. Hayes: With regard to the comments made by the member for Sarnia (Mr. Brandt), I am pleased to hear the previous government indicating now that something can be done about regulating the Great Lakes. Back on June 6, 1985, I raised the question with the then Minister of Natural Resources. I was talking about the program of regulating the Great Lakes. At that time, it was mentioned that it would affect the water level by only one tenth of an inch. I am very pleased to find out now that people realize it is not strictly a natural phenomenon but also has a lot to do with some of the mistakes man has made and continues to make today.

Mr. Bernier: I want to join my colleague the member for Sarnia in complimenting the minister for bringing this bill forward.

The Deputy Speaker: Is this a comment or a question?

Mr. Bernier: It is a comment. I note there is some reference to inland lakes. I hope this bill will address the problems in northern Ontario. I am sure the minister is very much aware of the fluctuating water levels that occur, I think I can say, on a cyclical nature in northern Ontario. I refer to such water basins as the Lake of the Woods water basin, the Lake Nipigon water basin and the Lac Seul water basin, where we see water fluctuations, particularly in the Lac Seul area, of as much as 15 or 16 feet on a regular basis.

The minister will realize that in some years the tourist operations and the many people who have boathouses and docks on those large bodies of water find it impossible to get their boats or equipment into the waters on which they operate. It causes severe upheaval in their tourist business and they look for financial assistance. To this time, to my knowledge, there has not been any; however, I understand that sections of the bill address the question of people who have property on crown land and that funds and loans can be obtained directly from the ministry.

I believe there is in the bill a specific interest rate that has been established. It is a little high. It should be about half the prime rate. I do not know whether the minister would agree with me on that basis.

Mr. McLean: I want to comment briefly on the remarks of the member for Sarnia with regard

to the breakwaters and some of the dikes this bill refers to.

Those sections of the bill with regard to loans concern me because there does not appear to be an upper limit anywhere. I was listening to the member for Sarnia mention that. There is the borrowing of money for the purposes of construction work, whether it be on crown land or other land.

I want to compliment the member for Sarnia on some of the remarks he made and the stand he has taken on this bill. I also want to compliment the ministry for initiating a program that will be used, and very substantially so.

I have some current concern with regard to the money. There does not appear to be any upper limit. I wonder whether the minister will indicate that there will be a maximum on a per capita basis or on some base. Of course, it would depend whether it is all shoreline in the municipality. It is different. I would like to hear the minister comment on that at a later time.

4 p.m.

Mr. Hayes: I would like to speak in favour of Bill 43, a bill that expands on the previous shoreline protection loan plan. Being able to raise or move a building is something for which shoreline residents have been looking for a long time, and I am sure my colleague the member for Algoma (Mr. Wildman) is very pleased that at last the unorganized municipalities will be able to be covered under this act. I know that is something for which he has been fighting for a long time.

I will mention a few of the problems with the existing shoreline protection program, and I implore the Minister of Municipal Affairs (Mr. Grandmaitre) to rectify them. If the problems are not corrected, this bill will not be worth the paper it is written on.

I will also mention a couple of comments that were made to me in December 1985 by some of the municipalities in my riding when they were faced with flooding problems. People were trying to get assistance and they did not know where to go. Some municipal clerks were saying they did not know where they stood, and the ratepayers did not know either, as far as the program was concerned.

In one municipality, there was no guarantee of the funds. They said the program was too vague. In another area, they were afraid the program was not going to be extended beyond March 1986. I am very pleased the program has been extended since that time. When they called the Ministry of Natural Resources office, they felt the staff

would not talk to them. The people they called were wishy-washy and they had a hard time getting answers. I hope this program will be managed in future a lot better than it was in the past.

Individuals in municipalities are frustrated with the shoreline property assistance program set up to help property owners deal with damage caused by high waters. Because of the cumbersome way the program has been set up, people have no guarantee that, having done the work, the loan will be forthcoming from the government.

If property owners wish to build shoreline protection, they must first apply to the municipality. The municipal engineer or a representative comes to look at the proposed plan and advises whether it is likely to fall within the ministry guidelines. Individuals then must hire a contractor to have the work done and it is inspected by the Ministry of Natural Resources which makes a decision as to whether they qualify for the funds. At that point, if the ministry refuses a project, the property owner could be faced with a very large bank loan.

The municipalities wish to have an allocation of funds from the ministry. They want to know how much money the community can expect to be made available, instead of operating on a first-come, first-served basis. They feel this would alleviate some of the problems with the cumbersome paperwork and would reassure people about whether the funds will run out before the work is done.

The ministry has also failed to provide in the assistance program for property owners who cannot afford to take out a loan for flood protection. The serious problem this causes is that if one person cannot or does not put up a breakwall, the efforts of all the other people in that area will be futile. The water simply runs through the open space and on to the other properties.

There is another area of concern of which the minister should be aware. It has been raised a few times in the past as another problem the local municipalities are faced with. When debentures are issued by a municipality for loans under the Shoreline Property Assistance Act, the ceiling imposed by the Ontario Municipal Board in effect limits municipal borrowing for other capital works within that municipality. The Minister of Municipal Affairs should press cabinet to separate debenturing for lakeshore projects from those for other municipal capital works.

Not many people realize the extent of the damage in 1985 from high waters on the Great Lakes. In Essex county alone, it was estimated that the damage was close to \$11 million and I am sure that is a very conservative estimate.

I want to point out to the minister that a report was done by municipalities on the estimate of some of the damages along the shorelines in Essex county alone. From Wheatley to Amherstburg, and that includes Pelee Island, there was \$8,122,000 damage; on the Detroit River shoreline from Amherstburg to Riverside, excluding Windsor, it was \$718,000; on the Lake St. Clair shoreline from Riverside to east of Stoney Point, \$2,021,000; the Essex county total was \$10,861,000. It is estimated that 80 per cent of the damage pertains to private property and 90 per cent of the private property damage pertains to residential buildings and breakwalls.

Even though I have concerns about the way the program was run in the past, and I hope the minister will take a look at these concerns, I compliment him on expanding the Shoreline Property Assistance Act. At the same time, I encourage him to implement the amendments as soon as possible. This program should be looked at as a short-term solution to the very serious problem of flooding along the Great Lakes shoreline.

I am sure in the ridings of many members, as in the area where I live, there is foreign ownership of some cottages along the shore. At this time we should be looking at the possibility of giving the municipality the power to force some of these people to protect their properties. If they refuse to do so, the municipality should have the right to go in and perform that work and to assess them on their taxes.

It needs someone in government to have the political will to look seriously at the real problem, which is that the level of the Great Lakes should be lowered. A lot of people have been living along the Great Lakes for many years. It is not a case of them happening to have moved there and now find they are faced with a lot of flooding problems in their houses. People make comments about some of these residents along the lake choosing to live there, but we should not look at it that way. These people are faced with a problem they did not create.

4:10 p.m.

A lot of suggestions have been made about lowering the Great Lakes levels. The member for Sarnia (Mr. Brandt) has spoken of plan 25N but many other suggestions have been made about

lowering the lake levels. I will mention just a couple.

The Minister of Natural Resources (Mr. Kerrio) has the same letter I have from the East Shore Coalition, written by Marv Ewing in Kingsville. One of the things we were talking about was that if one really wants to lower these levels, some are man-made and some are natural. Among those that are man-made, as the member for Sarnia mentioned, is the presence of more buildings, more housing going up and subdivisions put in. The water runs off faster than usual. There are other areas—tiling, for example.

One of the other mistakes we have made is our loss of forestry, the deforestation. There are also wetlands. We have a serious loss of wetlands in this province. Even today wetlands are being filled in, and we should not allow this to happen, because that is also a factor. We all realize we have had more precipitation in the past couple of years than we had had for quite a while before that.

There are some ways of controlling the Great Lakes. If we started to control the levels of the Great Lakes, a lot of the programs we are talking about today probably would not even be necessary and, in the long run, we would save this province a lot of money.

We have some idea that if we close the Ogok and Longlac diversions until flooding is no longer a threat, we increase the flows in the Niagara River and Welland Canal to obtain their maximum flow, which is 100,000 cubic feet per second, over the falls. The Black Rock Canal should be increased to its maximum. Those are a couple of emergency or short-term solutions to the problem.

What we really need to do is to bring those water levels back to the 1967 levels, and we should set up a controlling body that would have the authority to perform some of the following:

The body shall have the authority to increase or decrease any diversion in the Great Lakes basin that allows water into or out of any lake or river; it shall take weekly measures of flows and levels of each Great Lake; it shall receive weekly precipitation and runoff levels at each lake; it shall receive weekly evaporation levels of each lake; and it shall then make an evaluation and a projection of the surplus water above the 1967 level in each lake. The body shall now order the flow for each diversion to be set for the next week. This flow could be a reduction or an increase in cubic feet per second for the Welland, Niagara, Chicago, Cornwall, Ogok, Longlac or Black Rock Canal diversions.

I could spend quite a bit of time discussing controlling the Great Lakes levels. I hope we can bring it up in this Legislature before too long.

I must compliment the minister again. I do not want to take too much time; it is important that we get this piece of legislation in as soon as possible as a short-term solution to the problem. I hope this minister and other ministers in the government, and also the Conservative Party, will support the efforts we have been making to regulate, control and lower the levels of the Great Lakes to the 1967 levels. I am sure that in the long term we will be able to save a lot of money for this province rather than have to put up dikes, berms and those kinds of things.

We are not just talking about people who live along the shoreline, because a lot of problems with sewers inland today are the result of the high water levels. Whenever we get a storm, people who live as far away as a mile from the lake find their storm sewers backed up because we do not have the capacity in some of our sewage treatment plants to take that extra water.

People along the shorelines move there to enjoy the shore and to enjoy getting in their boats or just sitting on the beaches. That is why they live there. We should reverse some of the mistakes that man has made over the years and get the water levels down and give back to the people their beaches, trees and wetlands.

Mr. Wildman: I do not wish to comment on the excellent speech of my colleague but I do wish to participate in the debate.

The Deputy Speaker: Fine. If there are no comments or questions, we will go in rotation. The member for Brock.

Mr. Partington: I am pleased to join in the debate and to speak in support of the Shoreline Property Assistance Amendment Act. It provides some additional relief for the people along the shores of the Great Lakes, particularly those whose properties have suffered severe damage in past storms. The act as presented will make loans available not only for repairing existing buildings but also for raising buildings and relocating them on either the same lot or an adjoining or nearby lot owned by the same individual.

Such an amendment is important relief in view of the very perilous condition of many buildings. These buildings are now at the very edge of the water line, partially hanging over cliffs. In many cases they are in a very perilous position, requiring that they be moved to a safer distance from the shoreline to protect them against further storms that will surely come, and also so that the banks might be improved.

The raising of buildings is very important as well because of the many low-lying and attractive areas we have along the Great Lakes. I think of one point where many cottages are built slightly above the water line. The one way of preserving those cottages, as the Treasurer (Mr. Nixon) knows, is not to move them but to raise them somewhat higher.

I am pleased to see the coverage under this act is being extended to unorganized territories in the province. Water damage can be just as devastating in those areas as it can be in the industrial heartland of Ontario.

The act provides wider availability of financial help, although it is on a loan repayable basis, to riparian owners whose property is damaged by high water and wind. The focus for this act is particularly important to those people who live along the shores of Lake Erie, which is the area with which I have become most familiar.

Because of the lure of water and the beauty of the shoreline, the Great Lakes have attracted large settlements of people along their shores. As the late Senator Kerr of the US Senate once said, "People will always locate where there is an abundant supply of land, wood and water." In the Great Lakes basin we have been blessed with quantities of all three which are unparalleled anywhere else in the world. It has not been a surprise that the Great Lakes basin has become the industrial heartland of North America.

As I indicated, lately the inhabitants along the Great Lakes have experienced the ravaging effects of the water they chose to locate beside. The water and the wind have caused great damage and great concern and anxiety to these people.

4:20 p.m.

I read from a brief prepared by the township of Wainfleet. It is the Lakeshore Report on the result of the storm damage in December 1985. The township of Wainfleet has 14 miles of shoreline along Lake Erie which is almost entirely built up with cottages and permanent residential dwellings. I think 98 per cent of that shoreline is built up.

On December 2, that shoreline, as well as the rest of Lake Erie, experienced a very devastating storm.

"December 2, 1985: winds gusting to 70 miles per hour from the southwest raised lake levels as much as 10 feet at the east end of Lake Erie. Record highs have been set, and at Buffalo, a new record high of an instantaneous level of 580.68 feet was established. Extensive flooding

occurred along the easterly end of the lake and the upper Niagara River."

The International Joint Commission's publication, *Focus*, on the Great Lakes water quality, indicates that fluctuations in lake levels may occur short term, seasonally or long term. The experience now is that the Great Lakes levels have reached a position that is likely to remain constant for at least the next 100 years.

This theory in the past that we have had about there being seven-year or five-year cycles, as the cottagers have talked about, is not the reality. The fact is that we have, as the member says, a very high, escalating water condition and great relief is needed.

I was talking about *Focus* on the Great Lakes. It states in here that, "a storm on December 2, 1985, tipped Lake Erie towards Buffalo, New York, causing a short-term difference of 16 feet in the lake level."

One of the aggravating aspects of the Lake Erie water is that Lake Erie is the shallowest of the Great Lakes, it is a very shallow lake, and it has a bathtub effect. A storm can, in effect, blow the water to one side of the lake so it can rise to extreme levels on one side and be almost dry where it once was wet on the other side.

As I indicated, the Great Lakes are a great natural resource for us to enjoy and we must be sure to keep the lakes for our enjoyment. The Great Lakes contain 95 per cent of the fresh water in North America, a substantial amount.

The storm that occurred in December 1985 along the north shore of Lake Erie caused \$100 million in property damage from Fort Erie to Dunnville. As I mentioned, in the town of Wainfleet, the damage along its 14 miles of coastline is just less than \$1 million per mile.

In addition to damage to beaches and to buildings, there was substantial damage done to sewers and roads, approximating some \$400,000. That is one of the areas that will have to be addressed, and I note that the Minister of Municipal Affairs has indicated that additional grants to municipalities may still be made—I am reading from a release—"in cases where the cost of restoring or protecting essential services would place an undue financial burden on local taxpayers." One of the direct results of a storm is the damage to the physical assets of the municipality.

One of the other things that municipalities must be concerned about is assessment appeals. As I mentioned earlier, there was \$100-million worth of damage from Fort Erie to Dunnville.

Regarding the 14-mile Wainfleet area, reading from the report of the township of Wainfleet, it states: "Since there are so many applications to council for reduction of tax under section 496 of the Assessment Act for assessment reductions and deletions, it is possible and the potential exists that the municipality could stand to lose as much as \$3 million, which equals approximately \$345,000 in assessment and could represent as much as \$75,000 in tax for the year 1986; apportioned as \$19,000 to the township of Wainfleet, \$17,000 to the regional municipality of Niagara and \$39,000 to the school board."

This small municipality would have a difficult time withstanding the loss of such tax revenues. That was the estimate made at the time, and I am sure the damage may go much higher. The damage to the shoreline is not only to private properties and residences but also to breakwalls. Perhaps worst of all may be the damage to beaches that have taken hundreds of years to build up and may now be gone for ever.

I refer to a very famous summer area, perhaps one of the greatest natural parks in North America, Sherkston Beaches, which is located in the riding of the member for Erie (Mr. Haggerty). It consists of two miles of natural beaches, a large lake which was formerly a quarry, surrounded by 750 acres of property. Sherkston Beaches was recently purchased by a company owned by Glen Maxwell and Tom Collins. This park has been very popular not only with people living in the Niagara Peninsula but also those in the rest of Ontario, New York state, Pennsylvania, Ohio and other surrounding states.

To give members an example of its size, there were 25,000 camping permits issued in 1985 for the 5,000 campsites in this great park. They average four people to a permit, so the number of people occupying campsites in this Sherkston Beaches property would be 100,000 in 1985. That may be impressive in itself, but in addition to that, between 200,000 and 250,000 people visited the park as day visitors last year. The park is open year round, with the peak time from April through September.

One of the great assets of this park was the two miles along the Lake Erie shoreline—probably two miles of the finest beach one could find anywhere in North America. That beach is gone. The waves have picked it up and it is gone for ever. There is still some sand along the shoreline where one could sit and watch the lake, but the long expanse of sandy bottom leading into the lake has been dug out, taken away, and all that remains is a very rocky shoreline.

4:30 p.m.

According to an official at Sherkston Beaches, the government has indicated the cost to restore some of the damage done to the park site is approximately \$2 million. Apparently Maxwell and Collins have already spent \$500,000 to restore some of the campsites and try to salvage some permanent bookings for the current summer. Because of its popularity, people bring their campers in May, treat the area as their summer cottage and stay until the fall. In any event, accommodating the people will be impossible this year, and they have noted that the beach area has been cut down by 95 per cent. That is just some of the devastation that is taking place along the shores of Lake Erie.

A little earlier, the member for Sarnia referred to Long Point, and this may be one of the greatest losses the people of Ontario will have endured as a result of this storm. Long Point may be one the most natural wildlife habitats left in North America. Formed over the past 6,000 years and stretching 29 miles into Lake Erie, the first five miles are inhabited and settled with mainly summer cottages. The balance of Long Point Provincial Park, 27 miles, has been kept since its inception as a natural habitat. Long owned by the Long Point Co., much of it was turned over to the government of Ontario, provided it be continued in its natural state.

Over the years, hunters have enjoyed the almost unlimited number of ducks, geese and other wildfowl that spend time in the fall at Long Point on their way south. Fishermen fish that great Long Point Bay where bass, both large-mouth and smallmouth, and perch abound, and naturalists come to watch the birds and to try to identify the many varieties at Long Point. Of course, there are also the beaver and just about every type of wildlife one can imagine. But 40 per cent of that great natural preserve was destroyed in the storm of December 2, 1985. Parts of the point had been breached by water and as a result the threat to the continued preservation of Long Point is a real one.

I was going to explain some of the beauties of Long Point, the types of birds and wildlife that have lived there for generations and that are now being threatened by the high water of Lake Erie. Suffice to say it would be a tragic loss to the people of Ontario if this great wilderness area were lost for ever.

It is interesting that we talk often about preserving our wetlands—and we are very concerned about the wetlands—to preserve our game and our wildlife. Normally, we think in terms of

private owners or people filling in the wetlands to provide additional land to develop for housing or recreation. Of course, the reverse is happening in this case. Our wetlands are disappearing by becoming too wet, by being flooded over, and it is a tragic loss.

With respect to Long Point, Hastings Drive, one of the last roads leading into the end of Long Point, was developed with a great series of cottages. Fifty-five of those cottages washed away in the storm of December 2, 1985; they are gone. However, many of the remaining cottages will be able to benefit from this act by being raised. The level of the water has risen, and many of the people there are taking remedial action by raising the level of their cottages.

Dr. Joe Pacsuta, a member of the North Shore Coalition, a group of cottagers and property owners along Lake Erie, has vividly described in a letter the damage that has occurred on Lake Erie.

He refers to “the ruin of both public and private beaches; the erosion of thousands of acres of prime real estate; the destruction of property—breakwalls, homes and cottages; the loss of contents and personal effects, never to be replaced; the subsequent loss of property taxes and assessment; the depressed real estate values; the collapse of marinas and their facilities—docks, equipment and boats—resulting in loss of income, and some will never open their doors again; the irreplaceable loss of precious sand dunes, beaches and bluffs”—Long Point is an ideal example of that, as well the Sherkston Beaches—“the destruction of conservation areas, the natural spawning and breeding grounds for fish and wildlife; the horrendous expense to the municipalities for loss and replacement of roadways, for pumping of sewers, basements and entire subdivisions, for massive cleanup of parks and streets and repairs to dikes, ramps, docks and floodgates; the loss to the farmers of precious topsoil, their crops and property; the contamination of their drinking water and the ruin of their fields.”

Worst of all is the knowledge that storms such as the one experienced on December 2, 1985, will strike again. We cannot wait. We must develop better control of these unprecedented high water levels. Some will say that high water levels cannot be controlled, that they are evolutionary and are due to cooler weather and slower precipitation. But it is incumbent on us in society and on this Legislature to try to do whatever we can to lower the high water level of the Great Lakes.

Again, I go back to the township of Wainfleet's report. The mayor of that town, Stan Pettit, and his council authorized the study. I believe they sent a copy to the Minister of Municipal Affairs (Mr. Grandmaître). They are urging this government to consider and implement the recommendations they have set out in their study. They talk about the impact on spinoffs of high water and state "there are many small business and trades which obtain most of their income from the lakeshore area, such as several of the small grocery stores and fast food outlets along the Lake Erie shoreline." This is in special reference to Wainfleet, but I am sure it applies wherever there is high water.

"If it were not for the homes and cottages, many of these small businesses would be closed permanently, as their livelihood depends on the seasonal fluctuation of tourists, traffic and cottage users. As an example, Long Beach in the summertime is plagued by traffic jams, congested streets and parking problems, jammed beaches and pedestrian traffic comparable to Yonge Street in Toronto on a busy shopping day. This is compared to the winter, when it has often been said that someone could shoot a cannon down the main streets of Long Beach and hit nobody.

"Socially, the lakeshore from the month of June to the end of September is a small city, interwoven by recreation, cooler temperatures and a relaxing attitude. The protection of the cottages and residences along the lakeshore is necessary for the very existence of the township's tax base and the continued existence of several small business that survive only because of the influx of summer visitors."

4:40 p.m.

It is important that we do what we can to protect the shorelines of our Great Lakes from the damage caused by high water. Not only is it necessary for those people who live along the shores, but also it is necessary for those of us who do not live there but who periodically enjoy the benefits of swimming at the beaches, going for a boat ride or just visiting along the shores of the lakes in the summertime.

In the regulations of the Shoreline Property Assistance Act, the allowance for building repairs, raising or relocation is limited to \$20,000. In view of this inflationary period, I suggest the minister consider raising that limit to \$40,000. Perhaps he should also consider increasing the amount allowable for dike or shoreline protection from \$500 per metre, as it is currently, to \$750 per metre. The minister might also consider a reduction in the interest rate. With

interest rates falling, consideration should be given to adjusting the interest rate to somewhat below the current eight per cent, which was set when interest rates were substantially higher.

We talked about loans for dikes, breakwaters and groynes. One of the provisions in the act we are debating today would require an inspector to inspect the proposed work, especially with respect to the compatibility of the work with adjacent properties. I suppose the answer to this is not a simple one. So often an individual will construct a very formidable breakwater in front of his property but, because the neighbours on one side or the other do not do the same, the water will get in behind and destroy the breakwater which was properly installed.

Under the act, after the work is completed, the inspector will file a certificate and money will then be advanced. That is a very proper procedure. If the government is going to be making money available to injured parties, it should make sure, for their benefit as well as for the government's, that the work is done properly and that the money is advanced only when the work is completed.

The Minister of Natural Resources has announced a shoreline management review committee to investigate long-term approaches to shoreline management. That is a step in the right direction, but it has to be followed by more steps.

I hope the government and the Minister of Natural Resources are aware that the high water levels are expected to remain not only this year but perhaps for as long as 100 years. The steps taken in the Act to amend the Shoreline Property Assistance Act are welcome and very useful for those people but tend to be of a short-term nature. They help fix the damage, but they do not get to the root cause, and I appreciate they probably were not intended to.

One thing the committee formed by the Minister of Natural Resources could do would be to look at plan 25N, of which I am sure the minister is aware, and perhaps look at it in view of the damage that has been done and is threatening to be done to the shoreline of Lake Erie.

As I am sure the minister is aware, Lake Ontario also has a high water level but it is not as critical as the high water on Lake Erie. What has to be done is for this government to look at the inflow into Lake Erie and see whether any steps can be taken to moderate or restrict that, and we must certainly look at the outflow and see what can be done to increase that.

The 25N plan basically involves blasting a rock ledge several hundred feet long, to a depth of 14 feet, in the vicinity of the Peace Bridge to increase the outflow. The suggestion is that control mechanisms can be put in to moderate the outflow to make sure it does not reduce the ultimate level of Lake Erie beyond what is reasonable.

It is acknowledged that, whatever remedial steps are taken, it will take a long time to see any real effects, but the steps must be taken now because if they are not, the damage done on December 2 is going to be repeated, and probably next time with far greater consequences than the first time.

Many properties along that lakeshore have been put in peril. As I indicated, where sand beaches were before there are now boulders. There are areas where boathouses have been filled with boulders as a result of this storm and cottages have been moved. We do not have a great amount of time to remedy the situation.

I urge the government to move quickly on long-term solutions. A review and implementation of 25N will be a welcome step. I also recommend that the government adopt the recommendations contained in the township of Wainfleet's Lakeshore Report.

Many bordering states in the United States, such as the state of Michigan, have urged the International Joint Commission to study the Great Lakes water and have urged the states to convey their concerns to the US federal government.

I urge this government to raise the level of concern to deal with the International Joint Commission with the Canadian government, its US counterpart and the states bordering the Great Lakes. I know the Minister of Natural Resources, with his charming personality, would be very persuasive in so doing.

The time has come when we cannot wait for three years. Three years is too late. We have to get some long-term solutions to this problem in place very quickly. Some of the damage to our shoreline property is now irreparable. We cannot replace it, nor can we repair it. But let us repair what we can.

A little earlier, the minister was rubbing his thumb and index finger together suggesting that 25N would cost money. If steps like that are not taken, he will also be aware that the damage to the shoreline will far exceed what would be a moderate cost of instituting the 25N plan.

We do have a great natural resource in the Great Lakes, but we must work to enjoy it. I say

to the Minister of the Environment that we must improve the quality of water. Many of these are long-term steps, but I am sure if we get started right away we will enjoy them a lot sooner than we might think.

Again, I am pleased to support Bill 43, An Act to amend the Shoreline Property Assistance Act, and I urge the government to get started immediately on long-term solutions to the high water problem that we now have.

4:50 p.m.

Mr. Hayes: The member for Brock (Mr. Partington) was quoting Dr. Pacsuta, I believe, and I would like to comment. The member for Sarnia (Mr. Brandt) brought up regulating the levels of the Great Lakes, and I am very pleased to hear a member of the previous government talking about it now. I am not sure whether plan 25N is the answer, but we should look at all avenues, including some of the things I mentioned in my remarks. There are other means of doing it.

At the same time, the member mentioned that the beaches are gone for ever and that we are always going to continue to have the high water levels. We have to change that attitude and say, "Let us control them and lower the Great Lakes levels."

It is very interesting that people have said in the past that we could not control lake levels. When Lake Erie, Lake St. Clair, Lake Huron and Lake Superior, for example, have been at record highs and at the same time Lake Ontario has been low, that tells me they can be regulated.

All three parties should get together and look seriously at control of the Great Lakes water levels. There are a lot of ways and means of doing it. If we do not do that, we are going to be back here next year or the year after for another shoreline protection loan plan to allow the people to raise their dikes another foot or two, and I do not think we are ever going to solve that problem. We will never be able to see the shorelines from cottages along the shoreline. I do not own one, but I just want to make sure.

Anyway, I am glad to see the members of the Conservative Party are now willing to look at resolving the problem by lowering the levels of the Great Lakes.

Mr. Partington: I was speaking with respect to the destruction of the beaches. I used that example to urge the government on to action. The fact that we have this tremendous destruction is no excuse for not going further. We have to do it, and we have to do it quickly.

I was focusing on the Great Lakes. I know the member for Kenora (Mr. Bernier) will be speaking, but all waters are worthy of this act and all protection before us. Because of the high water levels in the recent storm activity, the focus is on the Great Lakes.

I suppose the advance of civilization, with its growth of population and industrialization, has forced the storm runoff to be diverted very quickly into the channels. We have aggravated the situation—unwittingly, of course; nevertheless we have done it. Now we have to reverse some of our civilized habits. I know we are up to the task.

Some people say it is a natural development. That may be true in part, but as one member has mentioned, there are certain things we can do; perhaps stopping diversions for a time and studying the situation to try to make sure that, to the extent we can, we control this very important part of our environment. I am sure we will.

I think we have the ability and the foresight, and we are getting the resolve. It is becoming such an important issue that we cannot ignore it. I look forward to seeing us take further steps to ensure that we get the high water problem of the Great Lakes under control.

Mr. Wildman: I rise to participate in this debate in a relieved and happy state, because as the minister knows, I have been campaigning ever since last fall to have the legislation amended to ensure that the residents of unorganized communities in northern Ontario will be able to participate in the program in the same way that residents of municipalities in other parts of the province have been able to participate. I congratulate the minister for introducing amendments that will make this possible.

I do not wish to prolong the debate. Since last fall, I have been trying to get this matter brought before the House, and I do not want it to take any longer than necessary. I concur with the comments made by a number of members with regard to the overall, ongoing problem we have on the Great Lakes and, for that matter, on other bodies of water throughout parts of the province.

I want to make a few comments regarding this program. I have with me a document produced by Dr. Klugman, the regional director, north-eastern region, of the Ministry of Natural Resources. In this document, which deals with shore protection methods, Dr. Klugman states:

"As you are aware, the levels of Lake Superior and Lake Huron are at record levels. Recorded damage resulting from high water levels has been extensive along the east shore of Lake Superior

and the north shore of Lake Huron and Manitoulin Island."

In another release, Dr. Klugman states:

"The province's emergency shoreline assistance program was established in June 1985 when record levels were reached on the Great Lakes, causing extensive damage to residential, commercial and recreational waterfront properties. Our ministry expects the levels of Lake Huron and Lake Superior to exceed the 1985 record levels and in response to the severity of the extending situation, the northeastern region" of the ministry "will be offering, at no cost to the public, technical advice on floodproofing and erosion protection techniques to affected property owners."

The statement by Dr. Klugman that he expects the levels on Lake Huron and Lake Superior to exceed the 1985 levels this year is very alarming. For that reason, I welcome the extension of this program beyond the original expiry date and the fact that changes have been made to allow for relocation and to raze buildings, but particularly to allow for assistance through the loan program to be available to residents of unorganized communities.

We have heard a lot in this debate about the problems on the lower lakes. I certainly recognize them. The problems on Lake Erie, for instance, have been well documented by members. However, we should recognize this is a problem throughout the Great Lakes system. Our Great Lakes are perhaps the greatest natural resource available to the central part of North America. They are a source of great beauty and great grandeur, but they also can be a source of great danger.

There have been a lot of references in this debate to the storm on Lake Erie in December 1985. I think back in my area to a major storm that took place many years ago on Whitefish Bay on Lake Superior when the Edmund Fitzgerald went down with tremendous loss of life and property, an event that has been preserved for us in our folklore through the wonderful song by Gordon Lightfoot. I remember the tremendous damage that was done to shorelines in one short storm; so I sympathize with the people on Lake Erie who have experienced a similar situation.

5 p.m.

I emphasize that the residents along the upper lakes, whether it is all the way up to the Lakehead or whether it is on the eastern shore of Lake Superior, in the area of Batchawana, Chippewa, Goulais River or Gros Cap, are experiencing serious high-water problems as well. The argu-

ment is always raised with regard to regulation of the water levels that we cannot release too much water from the upper lakes because the residents along Lake Erie, for instance, are already experiencing serious problems and if we released more water from the upper lakes, we would drown those residents and their property.

The residents along the upper lakes understand the responsibilities of the regulators. They understand their responsibility as good neighbours and residents of this province. They do not want to impose a disaster of any greater magnitude on the residents of the lower lakes, but they have serious concerns about the methods of regulation or lack of regulation of the lakes that have produced this situation.

It is an even more localized situation in that one could argue that, in order to protect the shoreline of Batchawana, Goulais River or Gros Cap, we should release more water through the St. Marys River and in that way we might raise the level of George Lake and hurt the residents of Echo Bay or St. Joseph Island, who are already experiencing high water levels. The whole North Channel of Lake Huron down to Manitoulin is experiencing difficulties as well.

I should relate the situation that a constituent of mine described to me recently. He and his wife have owned a cottage on a small island off St. Joseph Island for many years. Water levels have fluctuated around the island—the old argument of a seven-year cycle and so on—in the past. However, during the last few years it is no longer a cycle but rather a spiral. It always ends up higher than it was before and it never seems to recede when it gets to the end of the so-called seven-year cycle. It continues to go up.

Right now that property owner no longer has an island. He still has a cottage but he has no island. His cottage is on short stilts and he had a good amount of land around it. Now he has water right under it and no land. He has to go to his door by boat. If the water levels increase—that is, if more water is released from Lake Superior into the North Channel and if the St. Joseph channel goes up any more—this man will lose his cottage. It is not much good to him now as it is. He does not want to know how we are going to keep levels about where they are now; he wants to know how those levels are going to be lowered, and many other property owners in our area have the same problem.

Why should the residents of Gros Cap, west of Sault Ste. Marie, experience damage because we are trying to protect property owners downstream, who are also experiencing damage, from

further damage if the damage they are experiencing is going to be ongoing? It is not a short-term situation that this bill will respond to and assist them in repairing the damage; it is going to be year after year. I submit that while we welcome this bill and its introduction in this House, it is far from enough.

I do not know who is at fault, if anyone is at fault. I do not know whether it is the International Joint Commission, the Ministry of Natural Resources, the federal government or the provincial government, or whether it is a shared problem. I suspect it is a shared problem.

The regulation of the locks on the St. Marys River has a tremendous effect on the water levels of Lake Superior. To have it argued that we must not allow more water to flow out of the big lake because we are trying to protect people in the lower lakes is not enough, particularly when I hear comments to the effect that water levels on Lake Ontario are low. They are certainly not at the record levels we are experiencing on the other lakes, even Lake Superior. I do not know what the answer is.

I welcome the proposal made by the Minister of Natural Resources to appoint a committee to look at the overall problem. Through its deliberations, I hope it will be able to come up with proposals for changes in the way we regulate the water levels. There may be more rainfall; there may be cooler temperatures and less evaporation. There are obviously natural causes, but many people suspect there are regulatory problems as well.

In Chippewa last winter, residents in that area had ice in their boathouses, garages and basements. They were lucky we had a long, slow thaw this spring, or their buildings would have disappeared. Are they going to experience ice next winter and the winter after in their buildings?

I recognize that many of the comments have not been directly on the principle of the bill. They deal with water levels, and the principle of this bill is to extend the assistance beyond the expiry date, to extend it to raising and relocating buildings and also to respond to my concern about the unorganized communities. For that reason, I welcome it.

We have had extensive flooding in many parts of the lakes over the years. This bill assists property owners to make repairs when they have experienced flooding, and it is a good thing. However, even the minister who is administering it and bringing it before the House will admit it is

a stopgap measure. It does not deal with the problems that cause so much damage.

I was disappointed last January, I believe, after the Minister of Natural Resources and the Minister of Municipal Affairs announced they would be extending the program and making changes, when the bureaucrats in the Ministry of Municipal Affairs decided that until the legislation amending the law to allow for people in unorganized communities to apply as individuals was passed, they would not even accept applications. Frankly, I do not understand that approach.

It led me to meet with the minister to encourage him to bring in the legislation. Again, I welcome the fact he has done that, but for the life of me I do not understand why, when the bureaucrats understood there was going to be a change in the law, they would not at least accept the applications and keep them on file so that they could be processed as quickly as possible once the legislation was through. I suppose it is only bureaucracy and that is the way it operates, but it is certainly not adequate, in my view.

Dr. Klugman, the regional director from the Ministry of Natural Resources, stated in a release on June 2, "We consider this first-time-ever extension of the shoreline property assistance program to unorganized areas"—I repeat that, "unorganized areas"—"along with organized areas in northern Ontario will result both in immediate and effective solutions to the very serious high-water problems along the upper Great Lakes."

5:10 p.m.

I am sure the ministry official meant unorganized, not unorganized. What I am concerned about is that he says the extension "will result both in immediate and effective solutions to very serious high-water-level problems along the upper Great Lakes." It did not result in immediate assistance, because the Ministry of Municipal Affairs would not process applications until the legislation had been passed.

Also, even when this legislation is passed and loans will be made available to people living in unorganized areas, it will not be an effective solution to the very serious high-water-level problems in the upper Great Lakes. Therefore, I am disappointed in this release by the Ministry of Natural Resources.

I have a great deal of respect for Dr. Klugman, although he obviously needs a proofreader, but I do not understand how he can say this legislation is going to deal with the high water levels. It will help people get capital to make some repairs, but

unless we do something about the high water levels, as my colleagues have indicated, more and more repairs are going to have to be done and this program will have to become an ongoing one.

I also hope the minister will explain exactly how the residents of unorganized areas will be able to apply and have their applications processed once this legislation is passed, because there seems to be some confusion about who they should contact and who is going to handle this.

They have been told they should talk about problems to the various Ministry of Natural Resources officials, who might be able to give them engineering advice on what works might be necessary. However, when I talked to the regional engineer in Sudbury, who is a very competent and helpful gentleman, he indicated he did not know which official in the Ministry of Municipal Affairs is going to be responsible for processing the applications from unorganized areas.

In investigating this, I talked to Mr. Burton, the manager of municipal programs in the Ministry of Municipal Affairs, and asked when applications could be filed for assistance for shoreline damage in unorganized areas. He again said that no applications can be filed—not even filed—until the amendments are passed. Miss Shirin Pirani is collecting names and addresses to mail out applications as soon as the legislation is passed.

Frankly, I find that a little confusing. Residents in municipalities can make application through the municipal clerk, and we hope they will then get assistance. I hope that the minister will be able to make it clear how they should go about it in the case of unorganized communities and that he will be able to expedite the applications once the legislation is passed.

In my view, the changes that are proposed to the act will give a greater flexibility in finding the most practical and effective means of ameliorating the damage and the threat of future damage from high water levels to shoreline properties in both unorganized and organized areas.

The greatest change in this bill is that, for the first time, residents of unorganized areas will be able to get the same kind of assistance as residents of a municipality. I welcome the changes. I hope the passage of the bill can be expedited, and that the applications can be dealt with as quickly as possible once the bill is law.

However, I reiterate, this is a stopgap measure. If it is not to become an ongoing program, this government, in conjunction with the federal

government, the International Joint Commission and our neighbours to the south, must move to implement engineering changes in the Great Lakes system to make it possible for us to release more water from the upper lakes and to get that water flowing through to the St. Lawrence system so that we do not have to continue harming properties on the upper lakes to protect people in the lower lakes from further damage, so that we can get the water through the system safely without damage and better regulate the levels on all the Great Lakes.

Mr. Partington: I wish to comment for two minutes on the member's statement. I agree with the member that in this very serious matter of wind and water damage, it is important that applications are processed as quickly and expeditiously as possible. Some of the people have life savings tied up in either a permanent home or a cottage property and when this type of tragedy strikes, it is important to assist them as quickly and generously as we can.

The question of water inflow-outflow is a dilemma. I do not advocate diverting water south of the border. I know the member did not talk about inflow-outflow, but one of the things we must guard against is diverting a natural resource to another country, in this case the United States, and giving it an international legal right to keep the flow going. We must guard against acting quickly on something such as that.

Mr. McLean: I want to talk about some of the comments made by the previous speaker. I want to touch on some of the additions and amendments to the bill. I think it is great. The member hit upon what I call the main issue, which is that we should do something about the water levels instead of repairing the damage after it is done.

In my riding, I have been dealing with the federal people from Peterborough on the water levels of Lake Couchiching and Lake Simcoe, up into Georgian Bay. I do not understand why the water levels cannot be controlled. Last night on television, we saw the waters of Wasaga Beach going right over the breakwall into the buildings. There surely is a way the water could have been lowered to prevent that occurrence.

We are debating a bill that will repair and fix up after the damage is done. It is like shutting the barn door after the horse has gone. The honourable member was asking why we are not looking at how we are going to control these levels, how we are going to solve the problem in the future, because this really will not solve future problems. That is what I believe he was getting at and that is what we have to do. The

Minister of Natural Resources should be doing something about it.

Mr. Wildman: I thank the members for their comments on my presentation.

I hope the member for Brock was not intimating that the GRAND Canal project might be one way of dealing with the high water levels on the Great Lakes. If anybody knows anything about that proposal, which is advocated by our negotiator on free trade, among others, it is to divert water from James Bay into the Great Lakes and use them as a conduit for water into the United States.

If we convert James Bay into a freshwater lake and transfer water into the Great Lakes, we will flood most of the shoreline properties along the Great Lakes. The GRAND Canal project would be a disaster for the people who own properties along the Great Lakes. I hope anybody who is really concerned about properties along the Great Lakes will be opposed to the GRAND Canal project.

5:20 p.m.

I welcome the support of the member for Simcoe East (Mr. McLean) and I agree with his comments. I remind him, though, that in response to the question raised by my friend the member for Essex North (Mr. Hayes) on June 6, 1985, prior to the change in government, the then Minister of Natural Resources, the member for Nipissing (Mr. Harris), indicated, "We are talking about very minimal amounts, less than tenths of an inch, and when we talk about the wind and other problems, what the member refers to is a very minimal part of the problem."

I think it is unfortunate the previous government did not consider this as serious a problem as it is. I welcome their conversion now. I welcome their support for doing something about the water levels on the Great Lakes. It is unfortunate that we did not move much sooner.

Mr. Partington: On a point of privilege or order or information, one of the three, Mr. Speaker—

The Deputy Speaker: On a point of order?

Mr. Partington: As a point of clarification perhaps, there was a slight implication that I might be in favour of water diversion. I said I am not; we must guard against exporting that natural resource.

The Deputy Speaker: Order. That is not a point of order.

Mr. Bernier: I want to add a few points to my earlier comments and I do not want to repeat what has been adequately expressed by my colleagues

the member for Brock, the member for Sarnia and the member for Simcoe East. They have touched on some very sensitive and some very important points.

I want to remind the members that this bill was part of the efforts of the previous administration. It was terminated in 1982 because of a lack of participation. It was reintroduced in 1985 for one year because of some widespread flooding and we are pleased the minister has now seen fit to extend it, I hope, indefinitely. I make that point to let members know the sensitivity of the previous administration was very real. It was positive and the minister has built on a good base.

The point I want to address and I want to compliment the minister on is moving to provide loans in territory without municipal organization. This is of concern to me, coming from northern Ontario where we have a vast area that has no municipal organization, and he will take the responsibility of making those loans available. I suspect it is not going to be available to such people as tourist operators for their houseboats and for their dockage, which gets flooded out and gets ruined because of the cyclical nature of raising and lowering of the water systems in northern Ontario on the Lake of the Woods, Lac Seul and Lake Nipigon watersheds.

This is a regular problem that is cyclical. It causes a great deal of hardship, particularly to the tourist industry, both in high-water times and in low-water times, and as the member for Simcoe East has correctly pointed out, there is a strong desire among northerners for a greater effort to control the level of waters in our area.

Ontario Hydro has moved into many of these areas. The development of hydro power comes first and the effect of high water to a land owner seems to come second. In fact, even the fish population is affected by the fluctuating water levels and it is a concern to us who live in those areas.

I have appealed to the Lake of the Woods control board on a number of occasions to stop the massive fluctuations of water levels. One sees 11-foot fluctuations on Lac Seul alone and on the Lake of the Woods water basin it is not unusual to see a water fluctuation of five to six feet. This causes some very severe hardship to those people involved in the tourist industry. I hope the minister, perhaps not today but in the future when amendments come, will consider doing something for those people who have a real hardship.

I know the township of Red Lake, which has some land on Red Lake, suffered some real

damage a few years ago with regard to high levels and had some difficulty convincing the authorities at that time that it would qualify for some assistance.

I note that subsection 12(6) states, "A loan under this part shall not exceed the amount prescribed." I believe the amount prescribed was set back in 1981 at about \$20,000. We think that should be increased. That is five or six years ago. An increase to about \$40,000 would be a reasonable increase.

The adjustment of the interest rate has not moved with the regular interest rates as we know them. They were last adjusted back in 1985, so I think there is room for some examination there to give the prime interest rate on these loans over a 10-year period.

I pass those thoughts on to the minister. I again compliment him for bringing this bill forward. There is obviously some room for improvement, but it is a step in the right direction.

Mr. Pierce: As the minister is aware, I wrote to him early last summer requesting that the bill be extended to cover unorganized municipalities and communities and lakes outside the Great Lakes bordering Ontario, recognizing there is more to the waterways of Ontario than the Great Lakes. There are many people in the great province of Ontario who in one form or another, for reasons of work ethic or recreation, make use of the great, wide waterways we have available to us.

In my correspondence, I asked the minister if the program would be extended to include the unorganized municipalities, and that has now been included in the act. I appreciate that change.

What I see still lacking is an item that is not covered under the act and is not part of the act, and that is the policy with respect to who can actually qualify for assistance. That is a policy within cabinet. It is not part of the written act. It is within the mandate of the minister and cabinet to say what the act will actually cover and to whom it will be available. I suggest to the minister, as I said earlier, that there are a number of industries, fishing industries, tourist operators and private cottage owners, affected by high water levels throughout Ontario.

As was stated earlier in the debate, there are many other areas that suffer high water levels as a result of the high water levels that are experienced on the Great Lakes. The water levels above the Great Lakes are controlled in order to keep them from escalating and making the water levels even higher in the Great Lakes. As a result, the water is backed up into a system that cannot

handle it. The results of that backup and controls are felt by the industry and private camp owners.

5:30 p.m.

I am sure the minister is aware, because of the extensive amount of travel he has been able to do in the past year throughout the province, that a number of the lakes in northern Ontario are large bodies of water and are subject to the saucer effect felt on large lakes under high wind conditions. High water levels, along with high winds, can only mean shoreline and property damage in a lot of areas.

It is fine for us to say we recognize the need to protect and assist the abutting property owners on the Great Lakes, but there is more to this great province than the shorelines of the Great Lakes. We have many inland waters that require the same assistance and attention the government is prepared to give to those residents and businesses along the Great Lakes. The impact to a property owner of a storm on Lake of the Woods is as great as the impact of a storm on Lake Erie or Lake Ontario. It does not matter which shoreline one is on if one bears the brunt of a storm.

For that reason, as much as I appreciate what the minister has tried to do in the bill by extending the program and by including unorganized municipalities, he has it within his power and in his forceful manner, along with the assistance of other ministers of cabinet, to include the lakes other than the Great Lakes.

By not doing that, this government is saying: "We agree to a two-tiered system. We agree to provide for some but not for all. Where the majority of people are, we can provide assistance; but where the minority of people are, we are not prepared to provide that assistance."

Hon. Mr. Kerrio: That is the way it was before.

Mr. Pierce: I have been led to believe things are different nowadays, but I am afraid that has not been amplified in the changes to this bill. The change to this bill has been one that recognizes unorganized municipalities.

Hon. Mr. Kerrio: It is a big step forward.

Mr. Pierce: It may be a big step forward, but it is a very small step forward when one considers the number of unorganized municipalities that are outside the shorelines of the Great Lakes. This is a vast province. As is recognized by all members, the water that eventually finds its way into the Great Lakes comes from a large area in northwestern Ontario.

The minister has also neglected to address the problem that there are waterways within this

province whose lake levels are controlled by the International Joint Commission, in which the province is a partner. Ontario provides something like 11 per cent of the funding to assist in the operation of the IJC. We know high water levels on the Great Lakes affect the high water levels of the lakes that contribute to the high water on the Great Lakes. In many cases, those inner lakes are under the control of the International Joint Commission.

The Ministry of Tourism and Recreation is providing funds to promote the tourism industry in northwestern and northern Ontario. In many cases, the funds that are being provided to promote the tourism industry and the funds that are derived from that industry are turned back to the tourist operator to provide whatever measures of control he can to try to protect the shoreline and his beach areas to promote his industry further and bring new dollars into the province.

It is my belief that any assistance that would be forthcoming under the program for shoreline protection would be money well spent. Certainly, an industry cannot be promoted if it can be wiped off the shore of a lake by one storm. Any storm can bankrupt small tourist operators in particular.

Last summer I visited a camp on Lake of the Woods. That waterway, which was at probably its highest level for many years, was experiencing severe winds from the west. The camp owner, at his own expense, had hauled in thousands of yards of rock and dumped them on the beach to try to protect not only the beach shoreline he had but also his cabins and outbuildings. He had lost his dock, and he had lost his access to fresh water for his camp water system.

There is nothing that grips the heart more than seeing an individual who has put into the camp not only all the resources he has made through its operation but also the resources he makes as an engineer on the Canadian National Railways during the summer and winter months. He puts into that camp every nickel and dime of the wages he gets from another source to improve his operation but, because of the high water levels, he sees the whole thing being washed out into the lake. On this day, his wife, his family and his father were trying in some small way to protect the camp from being wiped out into the lake.

If we are here to seriously assist in the development and in the continual growth of industry and to promote the use of privately and collectively owned camps, we have to be

prepared to promote and initiate programs that are available throughout the province.

As I said earlier, the high water levels that are experienced on the Great Lakes continue to plague the people on the inland waterways because those waters are held back to protect the water systems farther down. It is undue hardship not only for anybody who is affected by part of the shoreline but also for someone who has to become personally and financially responsible for any rebuilding or the provision of any breakwaters necessary to protect an investment.

5:40 p.m.

The minister has made a step in the right direction by including the unorganized municipalities, but he has missed a step in terms of the policy of the government—again, I emphasize it is not part of the act as to who has the coverage or who can receive assistance; it is nothing more than the policy of the government—which is saying it is not prepared to assist storm-damaged shores on any waters other than those of the Great Lakes.

Again, that indicates this government, in establishing its policies, is prepared to establish a tiered system of the haves and the have-nots, the wills and the will-nots, where it will be prepared to assist some and not others. We are providing where there are masses; but where there are small groups of people in the unorganized municipalities, we are not prepared to assist them. It appears to make no difference to the government that a storm can cause as much hardship to a person on an inland lake as it can to somebody on the Great Lakes.

As I said earlier, I am sure the minister comes with much credibility and has the power within his own cabinet to ask for the extension of the program to include all the waters of the great province. I do not think that is asking for any more than is needed by the people who, as I said earlier, have made major financial commitments in promoting the tourist industry and other industries that are established on the many lakes and the large lakes that we have within the province.

Once the House recesses for the summer and the minister has an opportunity to visit throughout northern and northwestern Ontario and sees the effect that high water levels have had on some of the major camp owners and some of the major tourist industries, I hope he will come back fast and without any hesitation and ask his fellow cabinet ministers to extend the program of shoreline assistance to the lakes that flow into the

Great Lakes. We know we have to provide some form of assistance to these people.

I cannot emphasize strongly enough the need for this program, through the policy of the government, to be expanded to include the districts and communities I represent as well as the many communities and districts throughout northern Ontario.

I only hope that in the minister's travels this summer he has an opportunity to see and to talk to and to discuss with people who have experienced large costs in trying somehow to protect the shoreline from damages that are created by the high water levels that are caused because we hold the water back to protect the shorelines of the Great Lakes.

Hon. Mr. Nixon: Mr. Speaker, on a point of convenience perhaps: The House leaders have agreed that a bill that was ordered for third reading earlier this afternoon might better go into committee. I wonder if we might have unanimous consent for reversion to motions.

Agreed to.

MOTION

STATUS OF BILL 7

Mr. Nixon moved that the order for third reading of Bill 7 be discharged and the bill be referred to the committee of the whole House.

Motion agreed to.

SHORELINE PROPERTY ASSISTANCE AMENDMENT ACT (continued)

Mr. Hayes: The member for Rainy River (Mr. Pierce) spoke about other bodies of water that are affected and said the program should be expanded to accommodate them. I agree with those comments, but I have to look at the bill.

Maybe the minister can address this and clarify it, because under definitions, it says "‘damage’ means damage caused by high water levels of or the impact of ice on a lake, river or other body of water or by damage to or erosion of the shore of a lake, river or body of water caused by the elements, and ‘potential damage’ has a corresponding meaning."

When the minister makes his remarks, perhaps we will get the answers to the questions of the member for Rainy River. Perhaps his concern can be answered at that time. I am hoping it does go to accommodate those areas the member for Rainy River has raised today.

Mr. Partington: I want to underline the comments made by the member for Rainy River

about the need for community protection and community support, certainly in the Lake Erie area. The Port Colborne council passed a resolution on April 28 basically urging the federal and provincial governments and the International Joint Commission to take immediate action to work for a short-term solution and long-term plans to control the level of water in Lake Erie and the other Great Lakes.

Resolutions have also been passed by the city of Welland supporting the North Shore Coalition in efforts to secure lower lake levels. Similar resolutions have been passed by the city of Welland, the town of Haldimand, the town of Fort Erie and the town of Dunnville. It is of vital concern to communities for their citizens, for their tax base and for their services.

I support the member for Rainy River, my friend to the right, when he says the act in its general form is applicable to all damage caused by the natural elements throughout Ontario. I hope the minister will assure us that when the need arises, the plan will be brought into action to assist the owners of damaged property anywhere in Ontario.

The Acting Speaker (Mr. Morin): The Member for Nipissing, do you wish to comment?

Mr. Harris: I agree.

Mr. Pierce: In response to the comments by the member for Essex North, I wish to inform the member that I am aware of the act and how it covers shoreline protection on any water. The problem we are faced with is not that the act does not cover it but that the policy of the government does not allow at this time for applications to come forward from any communities other than those bordering the Great Lakes. That is the crux of the problem.

I had a legal interpretation of the act, and at one point, I had considered requesting an amendment to the act, but there is no room for an amendment because the act does cover the fact that all waterways and all shorelines are covered. Unfortunately, this government has neglected to address the problem that there are waters other than those of the Great Lakes and that there are property owners who request the kind of assistance that is being requested and is so badly needed by people, whether they be private enterprises or cottage owners, require the assistance covered under the act.

I can only say again that I hope, when the minister goes back to cabinet, that policy will be extended to include all waterways.

An hon. member: Mr. Speaker—

The Acting Speaker: You will have to take your seat. Are you addressing remarks to this issue? Are you debating this issue? Is it a point of order? You will have to speak from your seat.

5:50 p.m.

Mr. Hennessy: Now I am in good order. That will bring a little amusement to the people watching.

I rise to support the minister's efforts in regard to bringing in more financial assistance. I remember last year there was a problem in the Shuniah area of Thunder Bay. The minister at that time came forward with a few good suggestions and brought out the act to help the people who had property on the shoreline and were having problems in regard to the damage that was done by Lake Superior. In northwestern Ontario we get a lot of tough weather, a lot of snow, and a lot of ice forms on Lake Superior. When it melts in the spring, people living in the Shuniah area more or less experience some difficulties.

Bringing out the Shoreline Property Assistance Act helped the people of that area. A person who may not have had the necessary funds to repair his cottage got some assistance. It alleviated the problem of people with year-round homes. It was a godsend to some extent. I would like to see the minister look into improving it. There is always room for improvement.

As my colleague the member for Rainy River has mentioned, there are tourist operators, people who occupy summer homes year-round and people who go there during the summer, and all these lakes erupt. If one lives in northwestern Ontario, one realizes the snow and the large amount of water that is up there. The hot air is in Toronto, but the water is in northwestern Ontario.

I support the bill. It is a bill in the right direction to help people in northwestern Ontario.

Hon. Mr. Grandmaitre: With all the talking that has been going on today, we might be responsible for raising the level of the Great Lakes waters.

Miss Stephenson: I think the minister has dried it up a bit.

Hon. Mr. Grandmaitre: Is that right?

This has been an informative afternoon. Bill 43 will be at its best only if I go back to my ministry, take all the ideas and put them into another form of the bill. It has been great. I want to thank members for their participation. I know this bill is not a cure-all; it is a short-term policy.

I remind members of this House, as they know, that we have an independent consultant looking at the long-term effects of shoreline damages. I hope that by the end of October 1986, this report will be before me and that some of their concerns and considerations will be part of the long-term shoreline protective act.

The member for Sarnia, the member for Kenora (Mr. Bernier) and the member for Essex North all talked about what we can do to improve the water levels. I know it is not only the responsibility of this government, the Ministry of Municipal Affairs, the Ministry of Natural Resources or the Ministry of the Environment. It is the responsibility of this provincial government and the federal government to get involved. We have to work at this in a partnership, and the federal government has to try to help this province improve this bill by providing us with more dollars.

The member for Kenora said the number of dollars had not increased since 1981. He is right. However, since 1981 we have been after the federal government to take part in this responsibility. We have not been too successful; in fact, we have not been successful at all.

The amendments before this House will answer some of the immediate concerns of today. As I said before, the shoreline management review committee will be reporting back to me in October. I hope at some time in the near future I will present to this House the long-term guidelines of this government on shorelines.

Motion agreed to.

Bill ordered for third reading.

MUNICIPAL AMENDMENT ACT

Hon. Mr. Grandmaître moved second reading of Bill 79, An Act to amend the Municipal Act.

Hon. Mr. Grandmaître: Bill 79, An Act to amend the Municipal Act, is to strike a balance between the two parts. The municipalities are allowed additional latitude to assist with economic development, but at the same time, there are safeguards to ensure we meet the overwhelming desire of municipalities to outlaw bidding wars.

There are two chief elements of this bill: (1) to clear the way for municipalities to assist with the establishment of small business incubator facilities and (2) to reaffirm, with this small business exception, the government's intention of continuing the prohibition of municipal financial assistance to business and commercial ventures.

This emphasis on small business deserves special attention. In the past decade, this sector

has created 75 per cent of all new jobs. Along with this rate of success, there are many failures. It has often been said that for potentially successful entrepreneurs, a major cause of these problems is lack of experience with business practices and operations.

Small business incubators are places where new entrepreneurs will have access to common services, low-cost space, marketing and organizational advice, and will be nurtured for a limited, three-year period. At the end of that time, these enterprises should emerge as profitable ventures. This concept is gaining in popularity in the United States, where some 70 municipalities or ventures are already in place, many with public sector support, as well as in Europe.

The government is doing its part to get these facilities off the ground in Ontario. On December 5, 1985, my colleague the Minister of Industry, Trade and Technology (Mr. O'Neil) announced the community small business ventures program, which to date has provided provincial assistance to several local projects. Three municipalities are participating in this program: the region of Waterloo and the cities of London and Brantford. A major part of the municipal involvement is the provision of a building and subsidized rents. The Ministry of Industry, Trade and Technology is providing interim provincial funding for the municipal cost share until this legislation is in place.

After Bill 79 received first reading on December 16, 1985, I sent a letter to all municipal clerks asking for their comments. The reaction to this initiative has been overwhelmingly favourable.

6 p.m.

The Association of Municipalities of Ontario suggested some modification to the legislation. To meet the concerns of AMO, I will introduce three amending motions. The first is to make clear that grants, loans and sale of land to business under community improvement provisions of the Planning Act are subject to the approval of the Minister of Municipal Affairs, exempt from the bonusing prohibition. The second motion is to allow councils to establish nonprofit corporations to operate incubator centres and appoint representatives to similar corporations set up by the others. The third is to clarify the kind of assistance municipalities may provide to eligible small businesses.

Mr. Barlow: I am planning to support this and I think our party will, although our critic for the Ministry of Municipal Affairs will give the

party's position. I want to make a few comments on this bill.

One of the organizations in the regional municipality of Waterloo that is participating in the community small business centres program is an organization known as the Community Small Business Centre of Waterloo Region Inc. The official announcement was made on December 4, following a couple of years of dialogue between the business and the university communities in Waterloo region, discussing the incubator business program. I know they had many conversations with the minister's predecessor and with officials from the Ministry of Industry, Trade and Technology, trying to come up with a program that would benefit all the region.

There was an official press release issued on December 4 which somehow or other referred to only three of the four members who represent the regional municipality of Waterloo. It said, "'We are extremely pleased that these facilities are coming to the Waterloo region,' noted Herb Epp, parliamentary assistant to the Treasurer of Ontario; John Sweeney, Minister of Community and Social Services, and MPP David R. Cooke." For some reason, the name of the fourth member who represents Waterloo region was inadvertently left off the list. That happens to be yours truly. I realize it was inadvertent. If I had brought it to somebody's attention, they would have sent out another press release reminding the community that the member for Cambridge was also pleased to be involved in this for the two years it had been going on under the previous government.

A community board was formed under a private citizen who was really spearheading the whole program. I think the program will be beneficial. The number of people who will get involved is something like 2,500 or 3,000. It is suggested they will be able to participate and benefit from this small business program. The idea of the incubator centres was born in the United States. It has been very successful there. There are some private incubator centres around. I know of one in my own community of Cambridge.

The involvement of the province in the cost-sharing arrangement between the region and the province is \$800,000 by the province and \$100,000 by the region over three years. The region will be putting \$100,000 into this program to make sure it is successful and helps those who truly need to be helped as they develop their small businesses.

I had a question for the minister and perhaps he can answer it. He will recall that he received a

letter from Cambridge city council on a resolution passed by it in March of this year. I will read the resolution:

"The council of the city of Cambridge requests the Ministry of Municipal Affairs to amend Bill 79 to provide for a definition for the words 'levy, charge or fee' as contained in section 112(d) of Bill 79 and further include clarification that the restriction does not apply to policies that are applicable on a city-wide or an area-wide basis."

The concern of the municipality about the words "levy, charge or fee" is that very often concessions are made on an overall city basis. Perhaps they waive a lot levy for a type of building or a type of facility that might be going up. We are afraid that with no definition in the definition section, this may present a problem somewhere down the road. Perhaps when the minister is responding he can refer to that resolution and to whether there has been any action taken or whether he intends to make an amendment on that basis.

I wanted to bring those few comments to the floor of the House. I support this program. It is an excellent program. There are going to be many small businesses started because of this bill. It is another one of the great pieces of legislation thought of and introduced in the days of the previous government, and I am glad to see this government carrying it on.

Mr. Breaugh: We are going to support Bill 79. It is a difficult question, because many other jurisdictions have got themselves into a great deal of difficulty by providing various incentives for businesses to locate there. This bill, I have heard it argued, restricts that somewhat. I have also heard it argued that it expands and clarifies how they might go about it. I am aware that the Association of Municipalities of Ontario is, by and large, supportive of the measure.

I think the larger difficulty we will have to address at some time is the activities of various levels of government in providing incentives to do certain things. It was not that long ago in this province when we had municipalities adjacent to one another competing for industrial development and using a variety of incentives to get businesses to locate in those municipalities.

Those of us who were involved in municipal politics at that time came to the very swift conclusion that the end of the process was that everybody lost; no one won. That was borne out by the fact that a number of industries were probably enticed to locate in a given municipality, provided they got a number of concessions—and those concessions generally tended to be

cheap land, cheap services and some financial incentives of sorts—but in the long run it did not work to anybody's advantage. They tended not to stay. They tended not to become an integral part of that community. They were not fly-by-night operations by any means but they were shopping around for the best deal possible at any given time. One cannot really blame an industry for doing that. If those are the rules of the game, that is how they will play it.

6:10 p.m.

We changed substantially the way municipalities could function in that regard. It is true, and it will still be true under this act and its amendments, that municipalities can—how shall we say?—accommodate an industry. I suppose we are never going to get away from that. There will always be a way whereby a municipality can enter into a site-plan agreement to provide certain kinds of services and incentives under certain circumstances. For example, we are well aware that in a number of municipalities the industries want everything in place when they arrive. That is sometimes a little difficult to do. When one has planned an industrial park, it is a little costly to front-end all the services for that park. For the residents of a municipality to pay the total freight, put in roads, sewers and water services and provide all the ancillary services an industry wants is not cheap.

Some municipalities have been able to do that. There is an incentive of sorts for any municipality that provides an industrial park. They have already facilitated official plan amendments, zoning amendments and servicing arrangements. We all know that. That is probably about as far as I would be prepared to go. If we get beyond that, we are entering into the field where people are bidding.

I have made my personal views known. I do not advocate that the province should be involved. I know it is very fashionable these days, particularly in trying to attract larger offshore automobile industries to Ontario, for example. Certain arrangements have been made to provide them with incentives. The incentives are that the Ministry of Colleges and Universities will enter into skills training agreements, the various technical centres will provide some support systems and the province will do an appropriate parcelling of the land.

My term for this is "corporate socialism." I am a socialist, and I admit to that, but I am not a corporate socialist. I am an advocate of those in the free enterprise system, such as those at General Motors, who say: "We believe in free

enterprise so much we will put our money where our mouth is. We will invest our money freely and on our own because it is a good business decision."

This bill clarifies the situation somewhat. In that regard it is commendable, and that is why we will support it. I point out to the minister that it hardly resolves all the problems. It organizes them and marshals them into certain areas and it is a response to problems brought to his attention, I am sure, by various municipalities. It has taken a rather circuitous route through the municipal organizations. I believe it is supportable today, and we will support it and the amendments. However, I want him also to keep the longer term in view. There are larger problems out there.

I notice even the Treasurer (Mr. Nixon) is in his seat this afternoon, and I would like him to pay some attention to that even larger problem of whether the province does very much for its citizens by offering incentives to offshore industries. I am not convinced that it does. I would be happier if it confined itself to offering incentives to Canadian-based industries and offered some support systems to them, and I am biased because I come from an automotive community.

I am more than a little angry that we are subsidizing our competition. I do not know that makes a lot of sense. I suppose we will have to wait 10, 15 or 20 years before we really know whether the deal with Honda or with Toyota was a good deal for the people of Ontario, but I know it is a tough sell to go to people at General Motors and say: "We are happy that you have invested \$2 billion in our community. We are so happy that you invested \$2 billion, we are going to sink another \$1 billion or so into your competition."

They do not seem to understand that, and it seems to me they have a legitimate beef with this government and with the federal government. Therefore, I am asking the government to move carefully when it gets into incentive programs, whatever they are. I know the government can rationalize them, and I suppose they all make wonderful sense all over the place. I am sure the investments by Honda and Toyota in those communities are looked at in a different way than I look at them, but I am confused about why we are subsidizing competition to Canadian industry that is already here and that has a proven track record of investment in Ontario. I would like the government to keep that in mind when it proceeds from there, but as for this bill, I believe it is supportable.

The Acting Speaker (Mr. Morin): Questions and comments?

Mr. Martel: I want to add a few comments to those of my colleague, as one who comes from a municipality that put a whole series of services in to satisfy a mining company called National Steel.

We went out on a limb a number of years ago and put in additions to two schools, a new subdivision and a whole series of things. The company had no input. It did not want input; it just indicated things were good. We no sooner got these things in place than the company packed up its bongo balls and went home, and the municipality of Capreol now pays the price for a subdivision and the additions to the high school and the two elementary schools. It seems to me, as my friend says, that if we are going to do some things such as putting in an infrastructure, there should be a commitment extracted from those birds to indicate some longevity. In the case of my home town, although the town fathers went ahead and put in a new subdivision, the company decided overnight it was closing its doors and going back to the United States. My community now is paying the tab.

Hon. Mr. Nixon: What was the company?

Mr. Martel: National Steel.

My taxes for a four-bedroom house in the boonies of northern Ontario are dearer—\$2,000 in a town of 4,000 people—than those paid by friends of mine who live in Willowdale and who are paying \$1,800 for a four-bedroom home in the metropolis of Toronto. We pick up the tab whenever those companies decide it is time to go home, unless we are going to get some guarantee that they are going to be there long enough to make sure the infrastructure that is put in place is paid for.

Mr. Speaker: The member's time has expired.

Mr. Martel: My what? I am speaking to the principle of the bill.

Hon. Mr. Nixon: His time has expired anyway.

Mr. Martel: No.

Mr. Speaker: I believe members were asked if there were any comments or questions on—

Mr. Martel: No, Mr. Speaker, I was—

Mr. Speaker: Order. Just a moment. No.

Mr. Martel: Then I will speak again.

Mr. Speaker: Sure, that is in order. Do any other members wish to make any comments or ask any questions on the comments of the member for Oshawa (Mr. Breaugh)?

Mr. Harris: I am delighted to share some of the concerns the member for Oshawa raised about what we are doing with this bill and I understand the necessity for it. I hope it will lead only to the small-scale type of projects with residents in the community.

I am one of those who shares some of the concerns that the member for Oshawa expressed on other occasions as well about the grants to companies as a method of solving regional disparities or as a method of attracting industry to a country versus a country, or a province versus a province, or an area of the province versus an area of the province. I believe governments of all stripes end up wasting a lot of dollars that do not have to be wasted in competing with one another. I look forward to the day when countries can agree. The member for Oshawa makes the point that perhaps some of the free trade discussions will lead to some co-operation in those areas. I would like to see the provinces co-operating more, and provinces versus states.

It bothers me that now we are at least opening the door a crack to municipality versus municipality. I did not hear all of the member's speech, but I am sure these concerns were in there because I have heard him speak on other occasions, and I share those concerns.

I want to indicate that I look forward with some anticipation to the remarks I know will be forthcoming shortly from the member for Sudbury East (Mr. Martel).

Mr. Speaker: Do any other members have questions or comments?

Mr. Partington: I am pleased to speak in support of Bill 79—

Mr. Speaker: Order. I asked the honourable member if he had any comments or questions with regard to the comments of the member for Oshawa.

Mr. Partington: In that case, I do not. I will save them for my statement.

Mr. Speaker: The member for Oshawa has up to two minutes to respond.

6:20 p.m.

Mr. Breaugh: The new rules are tough, because they require one to stay awake at all times. I know how difficult that is.

I appreciated the remarks that were made by a couple of members, but let me put this little proviso on the end of it all. In a number of our municipalities we are trying to save existing industries. That is not easy to do. The rules of the game are not very clear.

I am an advocate of the notion that wherever a municipality makes a public investment in the private sector, there has to be some equity out of that process; an agreement must be entered into which guarantees jobs in that community. We should be encouraging that kind of arrangement.

We are all trying to grapple with the idea of whether municipalities have any real control over their own futures or destinies. I am an advocate that they should have some control. We should be encouraging them to enter into equity agreements that offer some measure of job guarantees. We should be encouraging them to do something about environmental problems and social problems. This is a relatively new concept in the western world—it is certainly new in Ontario—but I believe it is one we will have to come to grips with.

Many of our municipalities, and I am aware of several at this moment, are engaged in a struggle to find some way to keep viable an industry that already exists in the community. I am not one to put a lot of roadblocks in the way, but there ought to be some clear rules on how that is done, and where there is public investment there ought to be some public equity gain.

That is a little different. We do not have a great deal of history in this country of that type of activity, but we do have some. It is a workable concept; it has worked before in Ontario and Canada, and it can work again. If we are to do this kind of activity, those would be my personal ground rules.

Mr. Speaker: Are there any other members who wish to participate in this debate?

Some hon. members: No.

Mr. Speaker: To be fair to all members of the House, I have to recognize the member for Brock.

Mr. Partington: In keeping with the member for Oshawa, I see we are continuing to play by the rules.

I am pleased to join in support of Bill 79 which, as did the previous section 112 of the Municipal Act, prohibits bonuses in aid of any manufacturing or commercial enterprise. However, it goes further than the previous section 112 in a specific attempt to restrict municipalities from granting assistance through those four clauses, "(a) giving or lending any property of the municipality, including money; (b) guaranteeing borrowing; (c) leasing or selling any property of the municipality at below fair market value; (d) giving a total or partial exemption from any levy, charge or fee."

I am certain that under the previous section 112 it was intended that this type of conduct was to be prohibited, but the current suggested amendment sets that out more specifically.

I notice the first amendment by the minister to section 112 of the act, as set out in section 1, indicates that subsection 1 does not apply to a council that it is exercising any of its powers under subsection 28(6) of the Planning Act. It seems that in section 112, the operative phrases are that "a council shall not assist directly or indirectly any...business" and "shall not grant assistance" as set out in clauses (a), (b), (c) and (d).

Subsections 28(6) and (7) of the Planning Act each state, "for the purposes of carrying out the community improvement plan." It seems to me there is a clear difference in that under the Planning Act, the intent of the council would be community betterment or community assistance, whereas under section 112 of the Municipal Act, the restriction is against assisting business.

I am pleased to support the amendment, because it further underlines and clarifies that section 112 is not intended to interfere with community activities under subsections 28(6) and (7), although it seems to me that in the first instance it probably would not anyway.

The continuation of the policy against bonusing, as set out in Bill 79, is in the public interest for several reasons.

First, bonusing or granting assistance to a manufacturing or commercial enterprise could lead to a misuse of public funds. The purpose of revenues is to assist the community to provide roads and necessary services, and it would be a derogation of the authority of governments if they were to speculate or invest in enterprises and risk losing those public funds that should be used for roads, hospitals, schools and the public good.

Second, it is necessary to eliminate bonusing by the municipalities because, if that practice were permitted to continue, certain municipalities would acquire competitive advantages or disadvantages over other municipalities. Eventually, we would wind up in a bidding war between one municipality and another for business or industry. As the minister for Oshawa pointed out, it is bad enough that the practice exists between countries and states.

Miss Stephenson: The minister for Oshawa?

Mr. Partington: Did I say "minister"? I meant "member." I keep saying "minister." I do not why I say that.

Mr. Breagh: The minister for the republic of Oshawa. I do not have much status here, but back home it is big.

Mr. Partington: Anyway, I acknowledge that the member is a member.

Third, the permission for bonusing among municipalities would lead to financial loss. They would be engaging in speculation and, as is the norm, I am sure there would be some tremendous losses.

Generally, the role of a municipality with respect to economic activity has been to provide municipal and public services and facilities. Its job is to levy and collect taxes and to plan and zone the property of the community for physical development.

In Ontario, a municipality cannot own and operate businesses, it cannot lend or give money to businesses and it cannot invest in businesses. This general limitation on intervention confirms the general consensus that municipalities should

not interfere with free enterprise; they should stay out of the private marketplace.

Mr. Breaugh: The member should remember Suncor, Minaki and things such as that.

Mr. Partington: The member mentions those endeavours, and there may be some truth to that, but with respect to municipalities, the results would be horrendous.

I may take a few minutes to trace the history of bonusing.

Hon. Mr. Nixon: This might be a suitable time to move adjournment.

On motion by Mr. Partington, the debate was adjourned.

The House adjourned at 6:30 p.m.

CONTENTS

Wednesday, June 25, 1986

Members' statements

| | |
|---|------|
| Gasoline prices, Mr. Pierce | 1931 |
| Occupational health and safety, Mr. Martel | 1931 |
| Baseball game, Mr. Callahan | 1931 |
| Extra billing, Mr. Andrewes | 1932 |
| Access to abortion committees, Ms. Gigantes | 1932 |
| Children's aid society, Mr. Cousens | 1932 |
| Tuition fees, Mr. Allen | 1932 |

Statements by the ministry and responses

| | |
|---|------|
| Munro, Hon. L. O., Minister of Citizenship and Culture: | |
| Investment in the arts, Mrs. Marland | 1134 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Alleged conflict of interest, Mr. Brandt, Mr. Foulds | 1933 |
| Riddell, Hon. J. K., Minister of Agriculture and Food: | |
| Stabilization payments | 1937 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Disclosure of adoption information, Mr. Cousens, Mr. McClellan | 1135 |

Oral questions

| | |
|---|------|
| Bradley, Hon. J. J., Minister of the Environment: | |
| Water quality, Mrs. Grier | 1944 |
| Elston, Hon. M. J., Minister of Health: | |
| Extra billing, Mr. Grossman | 1938 |
| Extra billing, Mr. D. S. Cooke | 1942 |
| Acquired immune deficiency syndrome, Mr. D. S. Cooke | 1947 |
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue: | |
| Business programs, Mr. Ferraro | 1948 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Extra billing, Mr. Grossman | 1937 |
| Alleged conflict of interest, Mr. Wildman, Mr. Philip | 1941 |
| Alleged conflict of interest, Mr. Brandt, Mr. McClellan, Mr. Pope | 1943 |
| Alleged conflict of interest, Mr. Brandt | 1945 |
| Northern development, Mr. Morin-Strom | 1946 |
| Computer contracts, Mr. Gillies | 1946 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Children's aid society, Mr. Cousens | 1948 |

Petitions

| | |
|---|------|
| Extra billing , Mr. Jackson, tabled | 1948 |
| Highway construction , Mr. Wildman, tabled | 1949 |
| Abortion clinics , Mr. Ferraro, tabled | 1949 |
| Gasoline prices , Mr. Gillies, tabled | 1949 |

Reports by committees

| | |
|--|------|
| Standing committee on regulations and private bills , Mr. Callahan, agreed to | 1949 |
| Standing committee on administration of justice , Mr. Brandt, agreed to | 1950 |

Motions

| | |
|--|------|
| Private members' public business , Mr. Nixon, agreed to | 1950 |
| Status of Bill 7 , Mr. Nixon, agreed to | 1965 |

Second readings

| | |
|---|------|
| Shoreline Property Assistance Amendment Act , Bill 43, Mr. Grandmaître, Mr. Brandt, Mr. Hayes, Mr. Bernier, Mr. McLean, Mr. Partington, Mr. Wildman, Mr. Pierce, Mr. Hennessy, agreed to | 1950 |
| Municipal Amendment Act , Bill 79, Mr. Grandmaître, Mr. Barlow, Mr. Breaugh, Mr. Martel, Mr. Harris, Mr. Partington, adjourned | 1967 |

Other business

| | |
|--|------|
| Board of Internal Economy , Mr. Speaker | 1931 |
| Annual report, Ombudsman , Mr. Speaker | 1931 |
| Adjournment | 1972 |

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Barlow, W. W. (Cambridge PC)
Bernier, L. (Kenora PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Brandt, A. S. (Sarnia PC)
Breaugh, M. J. (Oshawa NDP)
Callahan, R. V. (Brampton L)
Cooke, D. S. (Windsor-Riverside NDP)
Cousens, W. D. (York Centre PC)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Ferraro, R. E. (Wellington South L)
Fish, S. A. (St. George PC)
Foulds, J. F. (Port Arthur NDP)
Gillies, P. A. (Brantford PC)
Gordon, J. K. (Sudbury PC)
Grandmaitre, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Guindon, L. B. (Cornwall PC)
Harris, M. D. (Nipissing PC)
Hayes, P. (Essex North NDP)
Hennessy, M. (Fort William PC)
Jackson, C. (Burlington South PC)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Laughren, F. (Nickel Belt NDP)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McLean, A. K. (Simcoe East PC)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)
Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
Philip, E. T. (Etobicoke NDP)
Pierce, F. J. (Rainy River PC)
Polsinelli, C. (Yorkview L)
Pope, A. W. (Cochrane South PC)
Reycraft, D. R. (Middlesex L)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Scott, Hon. I. G., Attorney General (St. David L)
Smith, E. J. (London South L)
Stephenson, B. M. (York Mills PC)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wildman, B. (Algoma NDP)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Thursday, June 26, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, June 26, 1986

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

PARALEGAL AGENTS ACT

Mr. O'Connor moved second reading of Bill 42, An Act to regulate the Activities of Paralegal Agents.

Mr. O'Connor: It is an honour for me to speak today on the bill I introduced to this House on May 22, 1986, that is, Bill 42, An Act to regulate the Activities of Paralegal Agents.

For the past year, it has been apparent to me and to many members of this assembly that regulation of the growing business of paralegal agents is fundamentally necessary. Let us make no mistake. The number of paralegal agents practising in this province is growing weekly. If the situation is not regulated, it will be out of control very quickly.

The government, by its abdication of duty, is permitting anybody to set up shop as a paralegal agent. In allowing this condition to develop, the government's failure to act allows the antics of a few to blacken the reputation of hundreds who are honest, competent and hard-working men and women, practising in an area to which they bring a unique expertise.

The Independent Paralegal Guild of Ontario, formed last fall as an interim measure to enhance the integrity and credibility of independent paralegals and to provide some protection for the public, recognizes the need for such regulation. It has requested the Attorney General (Mr. Scott) to introduce legislation to establish paralegals as a regulated profession.

The failure of the Attorney General to act is somewhat surprising in the light of statements attributed to him in the March 22 edition of the *Globe and Mail*. It is indicated he said, "The legal profession has created an all-or-nothing situation, where the client either gets Cadillac service with a lawyer or goes on foot by himself, when in truth Buick service with a paralegal might be entirely adequate and far better than what he will do on his own."

I note the presence of the Attorney General in the House, applauding his own remarks.

The Deputy Speaker: But not in his seat.

Mr. O'Connor: Not in his seat yet. I take it he is not officially here then.

Some three months have passed since the Attorney General made this statement. It is apparent that the government has no intention of acting immediately to meet this issue. This is particularly surprising, after listening to the Premier (Mr. Peterson) this morning on CBC radio telling us his government faces its problems and does not practise the politics of delay. Is this not curious, given the situation existing in the House this morning?

This issue is not something that can be passed off as a case of the previous government's failing to act. Undeniably, this is an issue that has arisen solely since this government took office. The responsibility is its alone. It has taken a responsible opposition to fill the void.

I am a lawyer, as are the Attorney General and the leader of the New Democratic Party. As such, we have all acknowledged the need that paralegals are serving. We must go forward from this point today to ensure that the legal profession does not bury its head in the sand and hope that the problem will just go away. The Attorney General has suggested he might bring in his own legislation in this area later this fall rather than immediately. With all due respect, I suggest this is an ultimate cop-out.

On May 4, the president of the Independent Paralegal Guild of Ontario, Brian Lawrie, who has carried the fight from the beginning on this issue, said of paralegals, "We are here to stay." I suggest that paralegals, whether the legal profession likes it or not, are here to stay. To oppose this bill, saying that legislation may not be required, is blatantly to ignore reality. The Attorney General may as well stand on the beach and try to roll back the waves, for he will meet as much success in that endeavour as he has in hoping the paralegal dilemma will simply go away.

We know legislation is required now. We know our responsibility as legislators is to ensure the protection of the public. It is time to put aside partisan differences on this issue and to work

together to see that the necessary protection is forthcoming. We should pass this bill through second reading today, get it into committee where we can hear the concerns legitimately expressed by everyone who has an interest and then make the necessary amendments.

We have an obligation to the people of this province to enshrine their right to competent, affordable access to the justice system. In this regard, I might quote from the Attorney General's remarks on Tuesday of this week when he introduced legislation to amend the legal aid tariffs and Legal Aid Act, when he said we must mark a new beginning in our quest for equal access to justice in Ontario. This bill, regulating the activities of paralegal agents, will provide for a large measure of that affordable and equal access.

Let me outline some of the provisions of the bill. A paralegal agent is defined as anyone, other than a lawyer, who attends for a fee, on behalf of someone else in a court or a tribunal where the citizen's rights are determined. Excluded from the definition are paralegals acting under the supervision of a lawyer. The courts and tribunals included are primarily those where this Legislature and the Parliament of Canada have, by legislation, already permitted nonlawyers to represent clients. These include provincial offences courts, small claims courts, landlord and tenant tribunals, immigration appeal matters, coroners' inquests and so forth.

The intent of the bill is to regulate and to control the burgeoning paralegal agent population for the protection of the public. The bill creates a governing body of two benchers of the Law Society of Upper Canada, five paralegal agents and two members of the public appointed by order in council, whose initial function will be to establish proper education and certification standards and to oversee the administration of rules, regulations and registration. Section 6 of the bill requires the carrying of liability insurance, as is the requirement for all lawyers in the province.

There is a provision for the disciplining of members in exactly the same manner as provided for lawyers under the Law Society Act. The discipline committee hearing complaints against paralegals will be comprised of a majority of benchers and one less than a majority of paralegal agents. The penalty set out for offences against the act are severe enough to discourage those who would try to take advantage of an unsuspecting public.

10:10 a.m.

This Legislature has created the profession of paralegals itself by permitting agents to attend in lower courts and tribunal proceedings. At present, the government employs some 39 full-time provincial prosecutors and several part-time prosecutors to handle minor cases such as Highway Traffic Act and Liquor Licence Act offences.

In a recent judgement before the district court, in the case of Regina versus Brian Lawrie and POINTTS Ltd., His Honour Judge Garth Moore upheld the acquittal of the two accused for practising law without a licence and made some interesting remarks. I will quote from the last several pages of that judgement. He says:

"I mean that the various acts of the Legislature I have referred to above permit agents to appear and act and represent others in provincial courts and, in some cases, surrogate and district courts. This legislation does not just permit an appearance in place of a defendant. It also permits an appearance with and for a defendant. No prohibition or restriction was brought to my attention which prevents the same person appearing as agent for a different person on numerous occasions or even receiving remuneration for so doing.

"The Legislature has thus created a new trade or calling; that is to say, the calling of paralegals. At present, it would appear from my observation that the control, supervision and discipline of such agents cannot be found in the provincial statutes, and to paraphrase a popular saying of the day, I am suggesting that the province get its acts together and so provide."

What Judge Moore was suggesting is exactly what this bill intends to provide. I might offer another interesting quote, that being from a recent editorial in the Toronto Star published on June 4, 1986. The editorial was headed "Room for Paralegals." I will read several paragraphs as follows:

"It is unreasonable for the society," being the Law Society of Upper Canada, "to declare war on paralegals, who can offer useful assistance in a variety of areas where full legal qualifications aren't necessary and lawyers don't normally work.

"Wouldn't it be far more sensible for the society to use its knowledge and resources positively—say, by helping draw the thorny line between those areas where lawyers' services are really required and those areas where they are not?...

"Consumers may also want to watch closely, and ask whether the protection the law society is so forcefully asserting is really intended for them."

I point out to those who oppose passage of this bill or seek to delay such legislation that paralegals would not exist in the province if there were not a viable market for their services. The Attorney General acknowledged in his address to the Osgoode Hall law school annual lecture series just recently that there are instances where their services are entirely adequate.

I wish to thank the many members of the Progressive Conservative caucus who have, on behalf of their constituents, supported this initiative. In the face of some pressure to delay this bill, they have stood on the side of the average citizen, knowing that the rights of the majority must be paramount.

The members of the New Democratic Party have, in this issue, once again demonstrated their concern for the rights and protection of the consumers of Ontario. I am particularly pleased by the comments of the member for Ottawa Centre (Ms. Gigantes), as reported in the press yesterday, that they intend to support the bill en masse.

I believe that, in the best interests of the people we represent, we can put aside our partisan differences and co-operate in the matter before us. The people directly affected by this bill—the consumers of Ontario, paralegals and the legal profession—must have the opportunity to come before a legislative committee to express their concerns and offer suggestions for improvement.

We acknowledge by the very existence of the committee system that draft legislation is never perfect, and we as legislators can always benefit from public input. Let us go forward from here today determined that, after today, we will begin the steps necessary to ensure fair access to all by competent, affordable, skilled agents practising in the justice system in Ontario.

I will reserve the balance of my time for reply and will conclude there.

Ms. Gigantes: I rise in support of Bill 42. I do so in a way that is not typical for me, I believe, in that my support for Bill 42 is a kind of wishy-washy support. I am going to support it so that we can take it to committee and look at many of the issues, which, as the member for Oakville has mentioned, were brought to the standing committee on administration of justice in its consideration of Bill 7 by Brian Lawrie. Those issues are interesting and are issues of the time in terms of the justice system and they deserve a

good, hard look. The vehicle of this bill provides us with the mechanism for doing that.

In its essence, it is both a progressive and a conservative bill. It is, as the sponsoring member, the member for Oakville, points out, an attempt to provide a kind of consumer protection in a situation where justice services and representation in our justice system are normally now available only through the services provided by a self-regulating group, the lawyers of Ontario, organized through the Law Society of Upper Canada and providing a service in a way that many would describe as a monopolistic format.

However, the bill in itself is an attempt to regulate services that have grown up very much in a free private enterprise way. It provides this regulation through the operations of the very body that operates the monopolistic provision of services, namely, the Law Society of Upper Canada. When the member for Oakville says, as he does—I think he means it earnestly, I can see why he says it and I support him in the way he says it—that what he is looking for is the provision of services for consumers in Ontario from competent and affordable legal representation, that is what this bill directs itself to.

On the other hand, it also directs itself to setting standards that will be operated through the Law Society of Upper Canada and that will be in large measure controlled by the Law Society of Upper Canada, since the committee that will do the regulating will be a committee of the Law Society of Upper Canada. These standards will run the gamut: educational achievement that must be demonstrated, hours of training, courses of study, approval of the schools a paralegal must go to and so on.

I am not convinced that what the consumer looks for when he looks for competent and affordable legal representation through the services of paralegals is necessarily somebody who has gone through a scheme of preparation, training, testing and so on that might be required by the Law Society of Upper Canada. However, this is one of the items we will have to look at as we discuss this bill. As I understand it, there is all-party interest in seeing it go to the justice committee.

You will be interested to know, Mr. Speaker, that there will not be a monolithic opinion from this caucus on this subject. You will find a refreshing divergence of views. I can advertise the fact that my fond colleague the member for Scarborough-Ellesmere (Mr. Warner) has agreed with me that he will speak second in this debate and that he will be in opposition to passage of this

bill. That is fine with me and I am sure it is fine with the member for Oakville. That is the purpose of having private members' time.

10:20 a.m.

I point out in closing that there are many other groups providing vital professional services in our society in Ontario that are not regulated. They have not achieved, sometimes even though they wish to achieve, the status of a recognized self-governing body, which would therefore have status in the eyes of the government and, for example, in the case of the psychologists of Ontario might be eligible to have their patients receive benefits under the Ontario health insurance plan for treatment.

The same is true for marriage counsellors, also loosely called family counsellors or marital mediators, as we refer to them in the Family Law Act which we passed earlier this year. These people all operate in Ontario without any formal regulation or recognition by the government, even though in some cases they take part in our justice system, either as witnesses or through involvement in cases going to court, before the court will accept certain approaches by applicants to the court.

The question of how we recognize and regulate these many service providers in Ontario is one that deserves a general examination in 1986. I am pleased this bill will give us some opportunity to do that. In that way, it serves a very useful purpose, and I will be pleased to support it on those grounds.

Mr. Epp: I am pleased to be able to speak today on Bill 42. The rights of paralegals are very important. The subject is timely, even though all of us probably have enough things on our plates these days that we do not have to add something else. Nevertheless, it is an important subject.

Like everything else, legal fees are rising. As the Deputy Speaker, being a lawyer himself, is aware, in many cases people of moderate means may not be able to afford a lawyer, particularly if there is not a great deal of money at stake, such as in fighting a traffic ticket. Probably all of us have experience in that, although we regret to admit it. There are many other such minor charges. Representation by a lawyer may not make sense, considering the charge or the money at risk and the amounts lawyers charge, which may vary from \$75 an hour to \$200 or \$300 an hour.

At the same time, the number of people acting as paralegals is increasing. My information is that there are at least 150 people who are registered with the Independent Paralegal Guild

of Ontario. There are probably 10 times that number who are practising as paralegal people.

The issue is made even more important in the light of the recent provincial court decision, upheld by the district court judge, that dismissed the charge brought by the Law Society of Upper Canada against a paralegal for unlawfully acting as a barrister and a solicitor, contrary to the Law Society Act. Since then even more paralegals have entered the field.

There are several good points in favour of supporting the continued use of the paralegal profession and, therefore, of supporting the bill itself. In many situations, the services of a lawyer are not required. Paralegals can provide a valuable service to clients at much less cost than a lawyer—a cost more in keeping with the charge or the matter at hand. Every hearing does not require a lawyer. As the member for Oakville has pointed out, many hearings are conducted in front of someone who is not a lawyer. It does not make sense to require a lawyer to represent someone who is appearing before a justice of the peace who himself or herself is not a lawyer.

Many paralegals are highly professional and have a great deal of experience. In many cases, they are former police officers who have the practical experience required in situations such as we are talking about. At present, there are a large number of paralegals in business. Several provincial statutes allow for the use of agents or paralegals. An example of such a statute is the Landlord and Tenant Act. Provincial prosecutors are also used and many are former police officers, as I pointed out.

These people are not lawyers. They handle minor prosecutions such as charges under the Highway Traffic Act and the Liquor Licence Act. Law students also carry on many similar functions for law firms. They are sanctioned by these law firms and by the Law Society of Upper Canada. The Law Society of Upper Canada is not enthusiastic at this point about the paralegal trade. In the light of the activity by nonlawyers that already exists and the benefits paralegals can provide to the consumer in legal services, it is vital that they be regulated in some fashion.

It is also important that we make clear the situations where paralegal agents can serve the public. We may wish to clarify the present situation, which is cloudy at best. We must be certain that a paralegal, before going into business, has the proper training, education and level of skill so that the public is not harmed by inadequately educated paralegals. This is paramount in our thinking. We have to protect the

unsuspecting public because people can act as charlatans in any profession.

It is therefore incumbent on this Legislature to have some controls on people who practise as paralegals. Once they are in business, we must ensure that the paralegals maintain a required level of professionalism and professional conduct. There should be adequate restrictions on the type of work a paralegal is entitled to do. Most important, we must ensure that a paralegal is covered by adequate insurance so that a client is not injured financially if a mistake is made. If a person retains a lawyer, that person has the knowledge that insurance is in place to help compensate for malpractice or mistakes. A similar system is necessary for the paralegal profession.

Bill 42 contains a recognition that registration, education and regulation of professional conduct and insurance are all desirable. I note that responsible members of the paralegal profession have also publicly called for regulation of the area by way of protecting the public and ensuring that only those with the proper qualifications and level of professionalism are in business.

Bill 42 is somewhat vague on what limits would be put on paralegals. I am sure that the member for Oakville is keenly aware of this. While mentioning the need for proper education, it does not spell out what that would be. Many decisions would be left to the paralegal agents committee. I would be interested to know what are considered to be proper courses of study and whether colleges currently offer courses that are adequate; otherwise, new courses will have to be developed across the province.

As I mentioned, insurance is vital. I would be interested in knowing whether insurance is currently available to paralegals and whether it will be available if they become regulated. A representative of the Law Society of Upper Canada has stated that "tossing laymen into the hands of an untrained, unsupervised body of charlatans is hardly the answer" to high legal fees and better access to legal advice. This is unfortunate rhetoric. Most paralegals are professional, hardworking and well-intentioned people.

They do not compromise on their standards and they do not comprise a body of charlatans. They welcome the possibility of regulating the profession. There may be some bad apples among paralegals, but that is the case in any profession or any business. We should not condemn the whole lot because there may be a

few people who need to comply with higher standards of conduct.

10:30 a.m.

I reiterate that the bill does not set out specifically what responsibilities a paralegal can assume. We must be careful not to go too far. It should not be the intention of the bill to allow them to work in areas where the training of a lawyer is required. Insurance must be arranged and there must be included in the bill, once this Legislature acts on it, stricter standards than are comprised in this particular bill. What also must be dealt with more extensively is the discretion of the commission itself.

I will be supporting the bill, but I have a number of concerns that have to be addressed, and I am sure they will be addressed in the not-too-distant future.

Mrs. Marland: I rise to support Bill 42 this morning. When the bill was first introduced, I sent a copy to all the lawyers in my constituency. To date, I have received only one letter from a lawyer requesting further clarification of certain effects of the bill that she has identified as undesirable.

This bill probably better deals with the old axiom that you get what you pay for. I must admit I had no idea of the scope of paralegals activities in this province until I saw a flyer from a paralegal centre. I am not going to give its address and telephone number, however, since it is because of this flyer that I feel even more strongly than I did before about supporting Bill 42.

When one sees the scope of services this paralegal group advertises, even though it starts its communication with, "We are not lawyers," one realizes that it is into a great number of areas. I am not a lawyer, and that is significant in the fact that I am speaking in support of this bill this morning because, although there are lawyers in the Legislature who are supporting the bill, I am speaking purely as a consumer with none of the profession of law behind me. However, in my layperson's interpretation, I can see, as the member for Waterloo North (Mr. Epp) said, that some members of the public may not be able to afford a lawyer. My response, of course, is that there are members of the public who cannot afford not to have a lawyer in many areas. I feel very strongly that if there are areas where the members of the public who cannot afford a lawyer themselves require that professional service, they have access to it through legal aid.

When one looks at the list of services, one recognizes that they are offering to deal with

wills, separation agreements, uncontested divorces and adoption in terms of family matters. Under the heading of business, they are dealing with the incorporation of Ontario firms, federal incorporations, registrations of proprietorship and power of attorney. What I really like under business is the last description, which says "all other matters," then in brackets, "depending on complexity." In other words, they actually hold themselves up as being able to deal with all other matters with respect to business. I feel this is absolutely no protection for the public. As members of this Legislature, we have an obligation to protect the public—sometimes to protect us against ourselves.

It makes sense, obviously, that a paralegal could appear in court on behalf of an individual in an area in which that individual could also appear on his own behalf. In those areas where we can now represent ourselves quite adequately and perhaps quite successfully, but when we cannot afford the time from work or perhaps cannot get to that particular session, it makes sense for members of the public to have the choice to have someone else represent them as an agent. Certainly, in some of the areas that have been addressed, to have a paralegal as an agent is totally acceptable; but when one looks at the scope of services they think they are able to offer and to service the public adequately, that is where I feel we must be concerned.

I commend the member for Oakville for his professional conscience and for his public conscience, because in bringing this bill into the Legislature, he is recognizing that at the moment we do not have anything that defines the difference for the public between paralegals and the professional lawyer. Most lay people simply do not know what the differences are. Without regulation the public would not know whether it had any recourse on a paralegal agent.

We are certainly aware of the tremendous insurance coverage that becomes a requirement for an individual lawyer who is in practice in order that there always be some recourse for one of his clients to go back to that legal firm, if necessary, and be able to pursue that firm when he has had unsatisfactory service from it. As far as I am aware, there is no requirement for paralegal people to have any insurance or any form of protection for anyone who seeks out their services.

In areas in which I support the use of paralegals, their activities in those areas are to be encouraged. There is no question that a lot of the public are very inhibited by the formality of

going to a lawyer's office, and in some areas they are quite inhibited by the fees. I am not here to justify or to question lawyers' professional fees, but I stand in this Legislature today to uphold the law profession, because the responsibility its members assume in rendering their services to those of us in the public who do not have their training is very great indeed.

When the law society expresses its concern, it is expressing it for very good reason. It sees the public seeking out a service thinking it is going to have the same advice, and subsequently the same protection, that it would have from a lawyer. Obviously, that is simply not so.

In supporting this bill, when we get it to the committee stage, I know the law society and those people who are concerned will be able to come to the committee to express their concerns. We will end up with a control, a regulation and a refinement that we simply do not have today. We will end up with something that will be acceptable to the law society because, for the first time, the public will be aware of what the differences are. Where we have obviously professionally trained people in the areas where their professional requirements are inherent in the responsibilities they assume in processing whatever that case is, then ultimately the public is protected.

It has also been suggested that the law society is protecting its own interests. It was suggested in one of the editorials I read that the law society is concerned about the competition and feels that regulating these paralegals will give it greater competition. I suggest the law society is not about to be concerned about competition, because it has enough competition with the number of lawyers within the profession in the province in the first place. I do not think it is concerned about inhibiting competition, but conscientious practising lawyers in our province are certainly concerned about and want to inhibit improper, poor professional advice being given where professional advice is needed.

10:40 a.m.

An earlier speaker this morning referred to this. I guess it was the president of the paralegal society who said they would ask to have the society recognized as a profession and to have the training requirements for the profession established once and for all. Personally, I feel strongly that professions are just that. One cannot have someone without the training of the profession, whatever it is, recognized as a professional on a par with people who have had the training.

I look for the support of this Legislature on this bill.

Mr. Warner: It is obvious from the attendance this morning that the members were not alerted that I would be participating in this debate.

Mr. O'Connor: They are all waiting.

Mr. Andrewes: They were alerted.

Mr. Epp: We were. We could not even give the tickets away.

Mr. Warner: If nothing else, I have managed to wake up those members who are in the chamber.

I am pleased to have the opportunity to participate in this debate. The member is to be congratulated for bringing forward a piece of legislation that, in some respects, is warranted. I have a few—

Mr. O'Connor: So far I like it.

Mr. Warner: So far, so good; now for the bad news.

The bad news is that I have some concerns about who might be included by this bill. I want to spend a few minutes going over the background to my concerns. The member for Oakville may know that I have spent a number of years working with Scarborough Community Legal Services. In that capacity, we have currently on staff five community legal workers, two lawyers and a clerk-typist-secretary. As is common with most clinics, the community legal workers spend a great deal of their time attempting to organize in the community, often around issues. They attempt to assist people before any of the social service tribunals; the tribunal under the Family Benefits Act administers that. They lend assistance to people before they go before a tribunal in preparing their cases adequately to seek some fundamental justice.

The community legal workers are also involved in public education around law issues. In that capacity, they go to high schools or meet with groups of single-parent mothers or with public housing tenants to attempt to explain what their rights are under the law and how to lobby effectively for any needed changes. There is a whole range of activities that community legal workers undertake. They are not lawyers. They are not trained to be lawyers. They have never taken training at law school. There is no precise job definition because of the variety of things they do. There is no set educational background or any particular experience that is required.

It was my experience on the hiring committee that when we hired a number of individuals, there

were special abilities and talents that I was looking for and that I knew other members of the hiring committee were looking for, such as an empathy with the situation of the individuals with whom they would be working, some sense of organizing, some sense of how one is able to coalesce a particular section of the community around an issue and how to present that issue, how to lobby effectively, how to fight effectively against the injustices that have been systematically built into our social welfare system. These are the kinds of criteria I look for.

When the member describes paralegal agent in his definition section, on the one hand I can see that the person I have just described would fit into that definition, with the arguable point around whether the individual receives a fee. Because the clinics operate on a global budget, the people hired there are paid a salary and are not paid on a fee basis. Therefore, when community legal workers go before a tribunal, they are doing it as part of their job. They are not receiving a separate fee for that. They are still on salary. Would a salary be determined to be in a larger sense a fee?

If it can be determined to be so, then a community legal worker, unfortunately, would fall under the definition of being a paralegal agent and, I suggest, that would in turn lead to a stricturing of the definition. It makes it tougher. In other words, we then go to section 3, under the regulations, which means the community legal workers I wish to hire have to go through a whole series of hoops, none of which may be useful or helpful in attempting to get the kind of person needed to work in the clinic, and so it becomes a self-defeating proposition.

I look forward to hearing from the member for Oakville in his windup, because perhaps he will be able to address the concern I raise. If so, he may very well garner my vote. However, I reserve judgement.

I raise the concern because the clinics in this province serve the people of Ontario extremely well. The member for Oakville knows that the legal clinics have expanded. They were introduced under the previous government to the great credit of the then Attorney General, Mr. McMurtry, who was a tremendous supporter of the clinics. Similarly, the new government has shown support for the concept of the clinics and the Attorney General has personally pledged his support.

Within that atmosphere, the clinics have been able to grow, both in number and in size, so that we now have, I think, 52 clinics spread across the province, some of them specialist clinics, such as

some that do only workers' compensation cases and others that do a wide variety of work. In each case, they look very carefully at their four-point mandate of working hard on law reform, of doing community legal education and case work and of organizing at the community level.

That work is extremely valuable because it means people who otherwise would not have access to our judicial system because of income have that opportunity. People who would not necessarily receive a legal aid certificate can go into a clinic and receive the kind of assistance which they require and an individual who needs to appear before the Social Assistance Review Board, for example, can be represented. We have found, unfortunately and very painfully, in many cases that have come before that tribunal, the individuals will not have received justice unless they had some representation. We do not need a lawyer to do that, but we do need someone who has some knowledge and who is committed to the process.

10:50 a.m.

I am extremely supportive of the clinics and the work they have done and urge their expansion. Therefore, if there is anything in this bill that may cause difficulty for the clinics, which from the way I read it there is, I am not inclined to support the bill. If, on the other hand, the member for Oakville can make a clear distinction, especially under the definition of paralegal agents, so that it will not have any harmful effect on the work of the clinics, I will be more inclined to support the bill. I anxiously await the response of the member for Oakville and I know he, in turn, anxiously awaits my support.

Mr. O'Connor: First of all, I thank the members who participated in the debate this morning, who provided very useful and interesting comments: the member for Ottawa Centre, the member for Waterloo North, the member for Mississauga South (Mrs. Marland) and the member for Scarborough-Ellesmere. I will make a few comments with regard to each of their comments or concerns.

First, to the member for Ottawa Centre I can say I understand her concerns about the makeup and composition of the governing body of paralegals. However, I point out to her that the governing body, although it is called a committee of the Law Society of Upper Canada, is set out this way for a particular reason, and that is to give it a home, so to speak, a place where it may avail itself of the support and staff that it will need immediately.

She should look at the makeup of the committee and note that the majority of its members are themselves paralegal agents. Only two are benchers of the law society, and they are there because, quite frankly, since paralegals are involved in legal work in courts and tribunals, I felt there should be some input to the governing of the group from lawyers.

Two of the members of the society are laypeople representing the public. One of them is to be appointed by the Minister of Colleges and Universities to assist in the development of the educational standards of the profession as such. To be effective, I have attempted to involve in the governing body the three primary interests: that is, the paralegals themselves, the public, of course, and lawyers, the majority of that body being paralegals. I hope that will allay some of the member's fears with regard to the composition of that body.

I particularly welcome the remarks of the member for Waterloo North in that he is a member of the government who has indicated his support for the bill. He has obviously concerned himself with the matter. He has done his homework. His facts and his comments were quite to the point and well researched.

In reply to one concern he did have about the educational standards for paralegal agents, I point out to him the remarks I made to the member for Ottawa Centre. The governing body will include a person appointed by the Minister of Colleges and Universities. As I see the thing develop, I see paralegal agents being educated and trained through our community college system, perhaps in a post-degree or post-diploma course.

Courses in this area are already offered by the community colleges. I suggest, though, that it should be a post-degree course for fully trained paralegals to ensure that relatively mature, older people go into the system and not the usual graduates from the community colleges, who are, I believe, in the neighbourhood of 18, 19 or 20 years of age. With the appointment of that person to help develop and organize the courses, the member's concern in this regard should be taken care of.

The member for Mississauga South referred to a flyer she has received, which I have also received and seen. I agree with her entirely that this kind of publication and offer to the public makes the case for the necessity of some regulations. If nothing else that has been said or done in the past does, that kind of tactic certainly does.

With regard to the concerns of the member for Scarborough-Ellesmere, I suggest that a different interpretation of the definition may be of some assistance. He will notice that a paralegal agent is a person who is not a lawyer and who is not acting under the supervision of a lawyer. My knowledge of the legal clinics is that lawyers are involved with them. Lawyers supervise the work of some of the other staff, particularly when those staff are involved in legal matters and giving legal advice. If that supervision was present, even in a general way, it would perhaps not be necessary for those particular people to be fully qualified, educated and certified paralegal agents. That definition could certainly extend to cover the community legal services situation.

In any event, the member might consider that it might be of some benefit to the legal clinics to have educated, well-trained, paralegal agents and that once the system was in effect there would be a growing pool of such people who would be available to fill the positions in those clinics, rather than the reverse that they would then be restricted as to staff. There might even be more people available of a better-qualified and better-trained nature.

I thank the members for their participation in this debate. I urge everybody to consider the remarks made this morning and to consider supporting this bill, including the member for Scarborough-Ellesmere, if I have in any way changed his mind. I hope I have. I hope he now can see his way clear to support this bill along with the majority of the balance of the members in the House.

Ms. Bryden: I have been informed that the member for Lake Nipigon (Mr. Pouliot) is unable to be present this morning and he has asked me to carry his ballot item. I ask the consent of the House to be permitted to carry the member's ballot item this morning.

The Deputy Speaker: Do we have unanimous consent that the member for Beaches-Woodbine carry second reading of Bill 46 in the absence of the member for Lake Nipigon?

Agreed to.

ONTARIO INSTITUTE FOR STUDIES IN EDUCATION AMENDMENT ACT

Ms. Bryden moved, on behalf of Mr. Pouliot, second reading of Bill 46, An Act to amend the Ontario Institute for Studies in Education Act.

Ms. Bryden: I would like to reserve a portion of my time for a windup. This act simply adds one clause to the Ontario Institute for Studies in

Education Act, which was originally passed in 1965. The new clause says that among its powers the board of the Ontario Institute for Studies in Education may "provide for the granting of and grant degrees, including honorary degrees, diplomas and certificates in education."

In the original act, the objects of the institute were set forth in section 3 as follows:

"(a) to study matters and problems relating to or affecting education, and to disseminate the results of and assist in the implementation of the findings of educational studies;

"(b) to establish and conduct courses leading to certificates of standing and graduate degrees in education."

In the early years clause 3(b), which I have just read, had been interpreted as giving OISE degree-granting powers. It actually did give an honorary degree to its first chairman of the board of governors, Bora Laskin, who later became Chief Justice of Canada. However, when OISE was created in 1965, it was an unknown institution and the board chose to seek an affiliation agreement with the University of Toronto for degree-granting powers to give its graduates the prestige of a degree from a well-established university in the province.

11 a.m.

In the first affiliation agreement, which lasted from 1965 to 1980, it was stated that OISE agreed to withhold the exercise of its degree-granting power for the duration of the agreement. However, in 1979 the Ministry of Education informed OISE that ministry solicitors, in the course of a review of degree-granting authority in Ontario, had concluded that OISE did not have the authority to grant its own degrees. This opinion has never been tested in the courts.

OISE signed a new affiliation agreement with the University of Toronto in 1981. It was to expire five years later on March 31, 1986. However, it has been extended for a year while negotiations continue on the terms of a new agreement with the University of Toronto. Unfortunately, the negotiations are more or less on hold since the Treasurer (Mr. Nixon) announced in his October 24, 1985, budget, "As a step towards eliminating duplication in the public sector, the government will transfer the Ontario Institute for Studies in Education to the University of Toronto."

OISE was then 20 years old. It had established a worldwide reputation. It had developed into a unique educational institution in the province, combining graduate training, research and development and field services that brought the fruits

of research into the classroom. It served the whole province, working with faculties of education in universities, with school trustees and boards of education and with a host of community groups involved in education. Its work in distance education brought remote areas in touch with research and world trends in education. Its special centres for women's studies, francophone education, educational evaluation, modern languages and applied cognitive science were unmatched anywhere else in the province.

OISE has its own board of governors under the Ontario Institute for Studies in Education Act. The board was widely representative of educational interest in the province. It had control of its own budget, which came mainly from the Ministry of Colleges and Universities under the formula grant to universities. It also received a \$2-million research grant from the Ministry of Education and other research grants from external bodies. It received money from tuition fees, rentals and conferences, and the government provided it with its own building occupancy costs. The total budget was \$29.5 million in 1985-86. That is not a great deal of money, but there has been a great deal of performance for that money.

The OISE board felt the proposal of the provincial Treasurer threatened its independence and budgetary and programmatic autonomy. It also felt its negotiating position with the University of Toronto for renewal of its affiliation agreement for degree granting was greatly weakened by the Treasurer's proposal. At a meeting of the OISE board of governors on January 28, 1986, the board set forth its objectives for further negotiations with the University of Toronto. These included retention of the name and an independent board of governors. They also included budgetary and programmatic autonomy and continuation of its mandate.

At that same meeting, the board set up a Status of OISE Committee with guidelines that contained the following statement on degree granting, "Among the options the committee should consider and plan toward are OISE as a free-standing, degree-granting institution, and OISE as an institution affiliated with the University of Toronto or, failing that possibility, another Ontario university." In other words, it put forth three options, including the one we are discussing today.

Why should OISE have degree-granting powers? One of the witnesses who appeared before

the standing committee on general government, which has been holding extensive public hearings on the future of OISE, was Professor McCormack Smyth of Atkinson College at York University, a man of long experience in a variety of educational institutions. He came out strongly in favour of degree-granting powers for OISE in these words:

"My support for the granting of degree rights to OISE is based on my conviction that if Canadians are to resolve the variety of multifaceted problems that confront them on both the macro and the micro levels, new and vigorous initiatives are required in education. OISE could and should play a key role in ensuring that such new initiatives contribute to the resolution of the multifaceted problems before us."

Later he went on to say:

"If OISE is to serve as a pioneering centre for higher learning through education, it needs the freedom and public stature that only a free-standing institution of post-secondary education enjoys..."

"It is extremely difficult, if not entirely impossible, to develop new educational approaches in established, ongoing universities... if one is to make a creative intervention in any education system, it is preferable that such intervention be made through an independent institution."

He also told the committee in the discussion on his brief that "we need a new catalyst in education in Ontario. I see that in an enhanced role for OISE."

He also put forth the view that "OISE should seek to do for education what the Massachusetts Institute of Technology and the land grant colleges in the United States did for science and technology," that is, they "transformed America and gave it this tremendous industrial and technical capability," which it now shows.

He suggested that small is beautiful and differentiated institutions are often more cost-effective.

He concluded, "The time has now come for the Legislature of Ontario to enable OISE to move to the essential next stage in its development as a free-standing institution of higher learning authorized to grant academic degrees in its own right."

Some arguments have been put up against giving OISE degree-granting status. The first is that it is not a university. That is true, and it clearly has no aspirations to become one. But the vast majority of degree-granting institutions in North America are not universities. In Ontario,

45 institutions have degree-granting power, but only 16 are universities. Most are single-faculty institutions operating through affiliation or federation with universities. OISE would be in a better position to negotiate such affiliations if it had independent stature.

The second argument against degree granting for OISE is the reluctance of governments in the past to increase the number of university-level institutions, mainly on the ground of economy. While I can see that a new institution starting from scratch could be costly, there would be no additional cost for OISE. It already has a mature administration and excellent facilities.

11:10 a.m.

The main argument for giving OISE degree-granting status is that it cannot carry out its very broad mandate if it is not an independent institution. Its mandate, as I mentioned, is "to study matters and problems relating to or affecting education, and to disseminate the results of and assist in the implementation of the findings of educational studies." To fulfil that, it must be a place where the voices of the teacher and the trustee are heard, where research is folded into the world of work, where access is based on professional experience and capacity as well as academic record and where there is a balance between theory and practice.

OISE merits degree-granting status. The standing committee on general government has learned a great deal during the past six months about OISE's contributions to education in Ontario. It has visited northern communities as well as hearing many briefs from other parts of the province. The committee has become aware that no other institution in Canada or abroad provides the full combination and range of comprehensive services OISE does. Few other institutions have a comparable level and scope of activity. It therefore merits degree-granting powers. I urge the House to vote for this amendment.

Mr. Cordiano: The act under consideration proposes to provide the Ontario Institute for Studies in Education with the authority to "provide for the granting of and grant degrees, including honorary degrees, diplomas and certificates in education." However, both the history of the institution since its establishment in 1965 and the current activities focused on bringing OISE and the University of Toronto together, lead one to the conclusion that the change proposed by Bill 46 would make no significant contribution to the calibre of study and work carried out in and by the institute. This change

would in no way enhance the service provided by OISE to the people of Ontario.

I want to go over the history. The member for Beaches-Woodbine (Ms. Bryden) has done a very good job of going over some of the historical elements of this entire debate, but let me go over it in a cursory way.

At its establishment in 1965, OISE's objectives were "to study matters and problems relating to or affecting education, and to disseminate the results of and assist in the implementation of the findings of educational studies," and as well, "to establish and conduct courses leading to certificates of standing and graduate degrees in education." Since OISE's establishment, there have been three main areas of activity for the institute: graduate studies, research in education and field studies.

Through an affiliation agreement with the University of Toronto, OISE graduates receive U of T degrees. There is no evidence that OISE's important activities as outlined above have been impinged upon in any way by the fact that OISE itself does not have degree-granting powers. On the contrary, for the past 20 years, OISE has made significant contributions to education in Ontario. The institute has had a strong record of achievement in graduate studies, research in education and field services, as I have pointed out.

In such areas as French immersion, applied cognitive science, women's studies, adult education and curriculum, OISE has obtained a marvellous reputation worldwide. Indeed, degree-granting authority seems irrelevant to OISE's accomplishments.

I want to go over the current situation with regard to the merger between OISE and the University of Toronto. The bill we are considering seems particularly untimely in the light of the current activity focused on bringing together OISE and the University of Toronto.

It is the view of this government that bringing together these two outstanding institutions will provide enhanced opportunities for academic and research excellence in the field of education. The institute, with its nine field centres in graduate studies and research activities, fits with the well-established undergraduate programs at the University of Toronto in the faculty of education.

The government is seeking to ensure that the clear, potential benefits from integration of OISE and the University of Toronto are realized. It is, therefore, our hope the two institutions can work co-operatively in developing a detailed plan of

union that can, in turn, be supported by both governing bodies.

Because this may take some time, the Treasurer has indicated that he is willing to delay the timing of the financial integration. In the meantime, the affiliation agreement between OISE and the University of Toronto, scheduled to expire on June 30, 1986, two days from now, has been extended for one year, as pointed out by the member for Beaches-Woodbine.

From this perspective, it seems ill-advised for the Legislature now to impose a fundamental change on the aspect of the multifaceted relationship which is under review and which is a priority to both parties involved in the integration.

As I understand it, the standing committee on general government has yet to table its report on the OISE/U of T issue. Again, this underlines the untimeliness of the actions proposed by Bill 46. Further, it should be noted that there has been no official request from either OISE or the U of T for the change proposed by Bill 46.

Mr. Grande: Is the member saying OISE does not support this?

Mr. Cordiano: I am saying there has been no official request. Both institutions are attempting to work out a detailed plan that will bring a level of co-operation to both institutions to work out those plans. It is far wiser for the two institutions to get together to proceed in the fashion they have been proceeding in order to reach a level of co-operation that is acceptable to both institutions.

What the bill proposes today is somehow to speed up the process, whereby it is not beneficial to OISE at this time to grant degrees. It is a question that does not involve the priority stated by both institutions; that is, that they get together to bring about integration.

Members of the third party and of the official opposition have stated their opposition to integration from both institutions. However, I think the period the Treasurer has indicated he is willing to extend, that is, one year, to allow both institutions to look at the problems in far greater detail and to come up with a detailed plan for integration is the better way to proceed at this point.

As I have said, degree-granting power is a separate issue entirely from the issue we are facing at this time and, as a result, I do not support the bill.

11:20 a.m.

Mr. McFadden: I rise in support of Bill 46. This bill would not have been before this House at this time if the Treasurer had not made his

ill-conceived proposal in October's budget to transfer OISE to the University of Toronto. The Treasurer's proposal was made without consultation with either OISE or the university. It was also made without regard to the ongoing programs of OISE and the potential jeopardy in which these programs would be placed by such a transfer.

Based upon the Treasurer's statement to the standing committee on general government during the course of its recent public hearings on OISE, it is clear the budget proposal was based upon ill-founded views and prejudices developed from a government report that is now more than 10 years old, as well as on outdated information and conclusions as to what OISE is now doing and what it has achieved in recent years.

Like any institution, OISE undoubtedly had some growing pains during its first years of operation. This is natural and to be expected. Today, as Ontarians, we can be very proud that OISE has developed into a world-class educational institution with an excellent reputation for its work, not only in this province but also across Canada and around the world. The provision of degree-granting power to OISE, as envisaged by Bill 46, will recognize the stature achieved by the institute and its contribution to the enhancement of the quality of education in Ontario.

Since the controversy arose about the Treasurer's budget proposal, I have been impressed by the tremendous outpouring of support and endorsement for OISE. I have received hundreds of letters from students, elementary and high school teachers, university professors, education administrators and concerned individuals from across Ontario and from various parts of the United States and Europe. In this House we have received petitions signed by thousands of Ontarians endorsing OISE and urging that its current status as an independent institute be maintained.

In my view, the most impressive endorsement for OISE came during the hearings of the general government committee. One witness after another in our hearings in Toronto, Ottawa, North Bay and Thunder Bay came before the committee in person to endorse the outstanding work of OISE, to attest to the invaluable services the staff of the institute provide to the educational community throughout the province and to express opposition to the transfer of OISE to the University of Toronto. The wholehearted and unanimous endorsement OISE received from students, educators and administrators gave ample proof of the central importance of OISE to the education system in Ontario.

During the 21 years since it was founded by the Minister of Education of the day, the Honourable William Davis, OISE has achieved a standard of excellence in a broad range of programs, in research and development, in graduate studies and in field services. Some of its programs are of unique importance, such as those offered by the Franco-Ontarian Centre and by the Centre for Women's Studies in Education.

The field services offered by OISE deserve special mention since they provide invaluable service to educators throughout Ontario which are not available from any other institution. It was interesting to hear from teachers who came before us day after day during the course of our hearings to attest to the practical and very real assistance that OISE's field service program had been to them in their classrooms.

It was very interesting to see the various submissions received from administrators who are trained in the areas of government and of how the bureaucratic system works. It was interesting to hear from those administrators who warned us about moving OISE into such a large institution as the University of Toronto and the danger that would pose to the future security of the budget for the field service program and all the other excellent programs provided to educators across this province.

Having listened to the educators, the students, the administrators and the various people in the community who have come before the committee and sent in written submissions, I think it is clear that OISE can be justifiably proud of what it has been able to achieve since its establishment back in 1965.

Ontario can and should be proud of the real accomplishments of OISE and of the international reputation it has managed to achieve in 21 short years. The conferring of degree-granting status would recognize these achievements. It would recognize the hard work of Chairman Jones and his capable board of governors. It would also recognize the accomplishments of the faculty and staff of OISE.

Degree-granting status would give to the institute a much-needed sense of academic stability in the face of months of uncertainty that have followed the October budget. Therefore, I urge all members of this House to support Bill 46 and to endorse the kind of work OISE has been doing since 1965.

Mr. Allen: I rise to support my colleague's bill proposing degree-granting powers for the Ontario Institute for Studies in Education, known as Bill 46.

It is not insignificant that this is 1986. It is exactly 21 years from the founding of the Ontario Institute for Studies in Education. Twenty-one years used to be the coming of age, the age of majority, symbolizing accession to adulthood and full autonomy of person, with all the responsibilities that went with it. Although we have waffled with ages of 18 and 19 for various other categories of responsibility verging on adulthood, still, in many respects, it remains a symbolic number. The significant fact about OISE's history during those 21 years is that it has indeed grown up.

The original arrangements that were established to provide it with some legitimacy in the world at large, affiliating it with the University of Toronto, providing that university with the oversight of degree-granting powers for that institute, are no longer particularly germane or essential to that body's reputation, to the solidity of its record, to the need for some legitimacy that its graduates carry forward or to anything that bears any significant reality that one normally attaches to degrees and degree-granting powers.

The original discussions around the founding of the institute and for years afterward indicate there was much intention that OISE become a degree-granting institution. In fact, the affiliation arrangement it had with the University of Toronto is not to be found even within the Ontario Institute for Studies in Education Act.

In the course of time, this institution has, like many institutions, grown and expanded and outgrown the difficulties that attended the earlier years of development. I am not going to dwell on the latter. They were well expanded upon in the early years of that institution's development, but by common consent they no longer are part of our present reality. They are no longer part of what one thinks about when one thinks about this institution.

It has developed into a unique place. In its mix of graduate university studies, research and development and field services, it does things that are not common to most institutes or most bodies with which one might otherwise want to compare it.

11:30 a.m.

When we in the standing committee on general government undertook a search to discover how comparable it was with other institutions of its kind around the world, it stood out as a unique package, and it is precisely in its uniqueness that it has been able to accomplish what it has done in a very short space of time.

There is no doubt that the flood of letters to which the member just referred or that I or the member for Beaches-Woodbine has received has borne testimony, not only from Ontario or from across Canada but also from around the world, to the status and stature of the Ontario Institute for Studies in Education. OISE has indeed grown up.

When one talks about degree-granting powers, a couple of things are often referred to. Of course, one is the need for the reputation that stands behind a degree to give it some currency. It is very interesting that at this point in OISE's history, its graduates, who fan out across the province, across the country and across the world, are known more for their attachment to the Ontario Institute for Studies in Education than for their being products of the University of Toronto per se. They are known as OISE graduates.

It is not surprising that when one looks at the list of visiting professors who go there, the pattern of international reputation is quite obvious. For example, there are professors who come from the Ministry of Education, Bogota, Colombia; Kyushu University, Japan; Fatherland University, Israel; the Western Australian Institute of Technology; Islamic Development Bank in Jidda, Saudi Arabia, and Macquarie University, New South Wales. They come from the University of Otago, New Zealand, and the National University of Singapore, as well as from various places in North America and Canada. There is a sense that this is an institution that can stand behind any degree that is worth giving to any student. There is no question about reputation.

The issue that has been raised about whether or not this is a university and therefore worthy of granting degrees is really a nonstarter. There are 16 universities in Ontario, but there are 43 degree-granting institutions. There are far more degree-granting institutions that are not universities than are universities in our province.

There were those who suggested there should be no more degree-granting institutions because to proliferate them would add cost to the government. That was the song in 1983 when we were limiting degree-granting powers in this province. To grant degree-granting powers to OISE is to grant powers to an existing institution that will be no more and no less costly to the government in its support either way, with or without degrees. The issue is a nonstarter.

If I might respond to the question of whether this is untimely or irrelevant to the current debate around OISE's future; in the first instance, it is

quite clear OISE has been asking for degree-granting power as recently as June 18. I have a letter from the chairperson of the board of governors, who says: "Regardless of the outcome of talks with the University of Toronto, we still wish to pursue independent degree-granting powers for the institute. We appreciate your efforts in preparing Bill 46."

There has been a request. It has been made before the committee. It has been repeated many times. It is in writing. There is no question about the desire. With respect to the relevance of the current debate on the future status of OISE, in a certain sense that is a little bit beside the question, although obviously a complete merger of this institution with the University of Toronto would finally close off any option for independent degree-granting powers.

With regard to any other alternative one can think about, including the one that appears to receive principally the attention of the negotiating team at this time—namely, a structure which would include the faculty of education of the university within the OISE structure and have an independent board and control of its own resources—degree-granting powers are not incompatible with that or with any acceptable model that has been presented to the standing committee on general government or that emanates from any part of the educational community.

The notion that to grant degree-granting power at this time is somehow or other inimical to the best future of OISE or to acceptable models that can be worked out in the relationship with the University of Toronto is really to raise a red herring across the whole issue.

The central issue is the question whether the Ontario Institute for Studies in Education has matured to the degree that it now is capable of fielding graduate students and researchers for this province, personnel who will support the whole educational enterprise in this province, outside this province and around the world to such an extent and in such a fashion that there is no question they have been legitimately and fully trained and will withstand any test of scrutiny that anyone can bring against them. That, in short, is the issue.

I submit that this institution has achieved that reputation. One has only to look at the various bodies it houses that have international reputations themselves, such as the International Council for Adult Education, which is the centre for adult education across the world. OISE is synonymous with a worldwide reputation and the

whole thrust of adult education around the world. That is repeated in area after area of this institution's existence, in its purpose and in its function.

The time has come in terms of the institution's own development, quite apart from the question of relations with the University of Toronto, for it to have degree-granting power.

Ms. Hart: I rise today to speak against Bill 46, a bill designed to give the Ontario Institute for Studies in Education degree-granting privileges and to render it fully autonomous from the University of Toronto.

As I am sure the members are aware, the relationship between OISE and the University of Toronto is based on an affiliation agreement whereby the University of Toronto grants degrees to OISE students, but the administration of programming and funding rests solely with the institute. There is no other arrangement in post-secondary education quite like this one. These two institutions, ideologically tied through the common goal of providing superlative educational facilities to their students, ought to come together under one institutional umbrella to provide both organizations with enhanced opportunities for academic and research excellence.

The University of Toronto has in the past successfully merged with neighbouring educational organizations. I cite as examples of that the federated colleges of Victoria, St. Michael's and Trinity and the colleges of the Toronto School of Theology. The various institutions and the university itself have benefited immensely from their closer association. I believe the same type of benefits will emerge from the integration of OISE with the University of Toronto.

In fact, the OISE-University of Toronto subcommittee preliminary report deals with full integration of OISE and the University of Toronto. It was released in March 1983 and it outlined various benefits it felt would likely occur from such a merger.

One of those benefits would be enhanced quality of teaching programs by drawing upon the experiences of the staffs of the two institutions. Second, there would be a more systematic relationship in research, a strengthening of their research capabilities through effective use of the methodological expertise and knowledge of both staffs. Third, there would be a pooling of resources and staffs to review curricular needs and program co-ordination. These are but a few of the potential benefits of such a union that I see.

OISE's closer association with the University of Toronto, one of the finest universities in

Canada and one known throughout the world, not just in educational but in all circles, could only bring increased prestige to its already renowned reputation. The integration will consolidate the activities of the University of Toronto and OISE, making both organizations stronger in the field of education. Co-ordination of undergraduate and post-graduate programs can only enhance the delivery of superior services to those seeking post-secondary education.

11:40 a.m.

The criticism of the integration program flows from the perceived threat that this proposal could pose to the programs OISE has developed over the past 20 years or so, for example, the women's centre, the modern language program and the regional field offices.

The government has not imposed a specific regimented plan for integration. It has not advanced ideas on the continuation or discontinuation of any program. Rather, it is the government's intention to continue promotion and facilitation of negotiations between OISE and the University of Toronto so that they may come to a mutually beneficial agreement on the method for a smooth and successful integration.

The University of Toronto has made a proposal that would provide for a 50-50 split of authority between OISE and the University of Toronto administrations. A new council would be established where, among others, the dean of undergraduate studies from the University of Toronto, the dean of graduate studies and the OISE director would be present. It is also suggested that a new college of the University of Toronto be established, and it is not inconceivable that the new college would retain OISE's name.

Further, the OISE board would be maintained but the functions would be altered. It could be a granting council responsible for the allocation of funding from the Ministry of Education. This plan would maintain OISE's programs and would continue degree granting from the University of Toronto.

This is merely an example of what could come from a joint effort to create an integration model. As efforts about the University of Toronto and OISE have been concentrating on an integrated model and as a successful result requires time, the affiliation agreement has been extended to June 1987 and a comprehensive model for integration is hopeful at this stage.

Finally, I would like to reiterate and emphasize that the common goal of superior post-secondary school education facilities is an item

of utmost priority. The responsibility lies with elected members such as ourselves to advance and support those programs which would ensure the realization of the common goal. The University of Toronto and the Ontario Institute for Studies in Education merger would serve to enshrine our goals by uniting two excellent institutions.

I will be opposing the bill put forward today as I believe it will interfere in a negative way with the constructive negotiations that are currently ongoing between the two institutions for their mutual benefit. I urge other members similarly to vote against the bill.

Mr. Dean: I am delighted to rise and take part in the debate on this bill which, when passed, would provide degree-granting power to the Ontario Institute for Studies in Education.

I, too, am one of the members of the standing committee on general government which has listened over the past months to extensive briefs and oral submissions from people all over Ontario and, in a few cases, from beyond the borders of our province in support of the continuance of this excellent institution.

I recognize that the present bill does not speak directly to whether the institution remains as an independent body or whether it be merged with some other institution, which was suggested as a desirable thing by the Treasurer in his budget last fall. However, I believe the timeliness of the bill is exactly appropriate in that it underlines one of the features which, as we have heard from many presentations and from people directly connected with OISE itself, is considered by hundreds of people in the educational community to be an important adjunct to the continued and developing contribution OISE makes to education in our province.

The right to grant degrees, as has been stated by a previous speaker, is not given out with a free and open hand in this province. Having had some experience both as a member of a school board in years past and as a parliamentary assistant to the Minister of Education here during my time in the Legislature, I agree in general with that tight control on degree-granting powers. We are all familiar with the so-called degree mills we hear of from time to time which operate in the United States and which frequently attempt to extend tentacles into Ontario. It is proper that we have that strict surveillance of any application, any consideration for the right to grant a degree which would be recognized in this province as being comparable to degrees that our own institutions already grant.

I know the Ministry of Education has ongoing discussions and concerns brought about because of the steady stream of applications from institutions in other jurisdictions that crave two things. First, they crave to be recognized by the ministry and the government in this province, which is known for having a high standard of excellence in educational performance, for the degrees offered; and second, to have access to a lucrative market in Ontario for those who might be persuaded to pay fees to those external organizations in order to get a degree that might look good on paper but might not have much substance to it.

OISE does not fit in that group of money-grabbing, would-be-degree-granting institutions. As the previous speakers this morning have outlined well, OISE is held in the highest respect worldwide for all of its different activities which can, as the mover of the motion outlined, be divided roughly into three sections: research and development in education, the graduate degree program and field services. In the submissions which we had in the standing committee on general government on the topic of OISE's independence or otherwise, all three of those fields were covered.

I do not propose to spend any further time here on the favourable submissions we received on both the research and development and the field services which OISE does. Suffice it to say these are held to be desirable, almost essential, to the carrying on of the excellent degree of educational performance we expect from our educators in Ontario. OISE does offer courses in the PhD, doctor of education, master of arts and master of education fields. At present, there are 690 full-time students and more than 1,600 part-time students engaged in one or other of those courses.

OISE has received high ratings from the Ontario Council on Graduate Studies, which does a general overview of all degree-granting institutions in the graduate field in Ontario. Since its inception in 1965, OISE has granted, through the University of Toronto, 9,000 master of education degrees, mostly to teachers, and more than 1,000 doctorates to teachers and other educational officials.

In the course of doing this, OISE has developed innovative ways of providing service off-campus, which is important in a jurisdiction as large as Ontario where people are scattered over thousands of miles and cannot always conveniently take all the necessary time off to attend full time. This is an example, in the degree courses, of the kind of innovation and dedication

to excellent educational directions, projects and programs for which OISE has come to be renowned.

11:50 a.m.

More specifically, the degree-granting power or privilege, because it is sort of a privilege in our province, is one of the six features that we judge is important to OISE from the submissions their own people have made. I do not necessarily mean the people who are employed there, but the people who have come to respect OISE for what it does and who have had direct experience in OISE. It is one of the six features they believe are essential for the continued effective operation of the Ontario Institute for Studies in Education.

In that regard, it will aid it to continue functioning as an independent body. It is quite true we have the looming spectre of amalgamation if the Treasurer carries out his threat or promise, whichever it was, which was enunciated in his budget last fall. I am not trying to prejudge what the standing committee on general government will recommend to the Legislature after its extensive study, because that has not yet been completely formulated by the committee. However, my own personal opinion is that the power to grant degrees would be a considerable step in the right direction to support the good work and reputation OISE enjoys.

In summary, I am proud that the members of our caucus in the Legislature show their own confidence and support of OISE by recognizing its achievements in the field of graduate education as well as in the other roles it performs. Over the years, I believe OISE has earned the right to be recognized as a pre-eminent, unique, valuable component of our excellent education system. In supporting this bill, we grant OISE a tangible sign of that recognition it so well deserves. I urge all members to support this bill.

Mr. Warner: I am pleased to support this bill. Frankly, I remain puzzled as to the Treasurer's intent from the outset when he made his announcement.

OISE was established to serve a unique function. It continues to fulfil that function and to excel in quite a number of areas of educational research. It remains a world-class example of the kind of extremely important educational work that needs to be done. It is an entity that should be left separate and it should not be disturbed in any way.

Rather than attempting in some way to dismantle it, which appears to be the Treasurer's intent, we should be supporting it to a greater degree than we are. Part of that support is to

enable OISE to grant diplomas, certificates, honorary degrees and degrees themselves. We should be trying to enhance the institution and not attempting to break it down. In a practical sense, members realize that if OISE becomes amalgamated with the University of Toronto, it will melt. It will simply become part of the fabric of the university and will lose its separate identity. It will no longer exist on its own merits. To me, that would be wrong.

I urge all members to support this excellent bill put forward by my colleague. We should try to support OISE rather than attack it.

Ms. Bryden: The members who have opposed this bill are claiming we do not need any change from the present situation and that OISE can continue to work out an affiliation agreement with the University of Toronto and carry on in a co-operative way. The present state of the negotiations does not lead us to believe that is necessarily going to happen, and they have been going on for a considerable period of time.

The other thing I want to point out is that this bill would not interrupt the negotiations or interfere with them; in fact, it would enhance the ability of both institutions to work out co-operative arrangements. The University of Toronto faculty of education and OISE need to work together; it would be beneficial for both of them. The simple fact is that if OISE does not have its own degree-granting powers, it cannot negotiate as an equal with the university. Anybody who has been connected with bargaining of any kind will recognize that.

If OISE has to rely on fixed-term affiliation agreements with the University of Toronto for degree-granting powers, it cannot plan for the future. It cannot develop new programs to meet the new conditions of human life which Professor McCormack Smyth mentioned in his presentation to the standing committee on general government. He mentioned the advent of nuclear power, the robotization of work, the transformation of our system of communications, what he called the video culture, which is replacing the print culture. He mentioned the widening sense of alienation and the feeling of powerlessness of a great many people in our society.

We need institutions flexible enough to be able to start to meet these needs. We need an independent OISE with the ability to turn the focus of education on to meeting these problems. It cannot do it without its independence, its programmatic autonomy and its own budget. These may be at risk in any future affiliation

agreement if degree-granting powers are also on the line.

It is absolutely essential we recognize that OISE is 21 years old, that it does merit degree-granting powers of its own and that it be able to continue to expand and develop as an independent institution. That is what this bill is all about. I urge members to vote in support of it.

I also want to mention that one particular institute at OISE, the Women's Centre for Studies in Education, is a unique resource for all women in Ontario. It is a meeting place for women and a centre for finding new approaches to the development of the equality of women. It is producing a history of the contributions of women to our society. History in the past has usually focused on the male players in the business world, in the political world and in the world of work. That imbalance is now being redressed by the women's centre, which is producing a history of women in Ontario in various aspects.

That is one of the centres OISE would like to continue, but if it does not have programmatic autonomy and budgetary autonomy, it may not be able to ensure its continuation. Another centre at OISE is the Modern Language Centre, which does work with native languages. That is another unique area that is not covered by any of the programs at the University of Toronto and it may not be funded if OISE is merged with the University of Toronto.

12 noon

It is important to maintain OISE as an independent institution and to make it possible for it to negotiate affiliation agreements that will be fruitful to both OISE and the University of Toronto.

PARALEGAL AGENTS ACT

Mr. Speaker: Mr. O'Connor has moved second reading of Bill 42.

All those in favour will please say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

ONTARIO INSTITUTE FOR STUDIES IN EDUCATION AMENDMENT ACT

The House divided on Mr. Pouliot's motion for second reading of Bill 46, which was agreed to on the following vote:

Ayes

Allen, Andrewes, Barlow, Bernier, Brandt, Bryden, Charlton, Cooke, D. S., Cousens, Davis, Dean, Gigantes, Gillies, Gordon, Grande, Gregory, Grier, Guindon, Harris, Hayes, Hennessy, Jackson, Lane, Laughren, Leluk;

Mackenzie, Marland, Martel, McCague, McFadden, McLean, McNeil, Morin-Strom, O'Connor, Partington, Philip, Pierce, Reville, Rowe, Runciman, Shymko, Sterling, Stevenson, K. R., Swart, Treleaven, Villeneuve, Warner, Wildman.

Nays

Bossy, Callahan, Cordiano, Epp, Ferraro, Fulton, Hart, Knight, Mancini, McGuigan, Miller, G. I., Morin, Nixon, Polsinelli, Reycraft, Smith, E. J.

Ayes 48; nays 16.

Bill ordered for committee of the whole House.

The House recessed at 12:12 p.m.

AFTERNOON SITTING

The House resumed at 2 p.m.

MEMBERS' STATEMENTS

TAX PAYMENTS

Mr. Andrewes: Today I have the pleasure of informing the Treasurer (Mr. Nixon), the Premier (Mr. Peterson) and, indeed, every wage earner in the province that as of tomorrow, after 178 days, they will have finished paying off all their taxes for 1986. June 27 is tax freedom day in Ontario, a day to be celebrated as taxpayers stop working for the government and can finally begin to enjoy the fruits of their labour themselves.

It is interesting to note that this year tax freedom day falls five days later than it did in 1984, the year in which the last Conservative budget was delivered. The Liberals' October budget raised taxes by a staggering \$700 million, forcing the taxpayers of this province to work an additional week to fund the government's uncontrollable spending habits.

The Treasurer may be surprised to learn that taxpayers in only one other province have to work longer to pay off their taxes. The beleaguered taxpayers of Quebec, which is governed by a good friend of our Premier, have to wait until July 17 before they can celebrate. Meanwhile, taxpayers in Prince Edward Island celebrated their tax freedom day way back on May 13, Manitoba on June 1 and Newfoundland on June 13. That is hard to believe.

During this weekend of celebration, all Ontario taxpayers should think hard about how they want to spend all their tax-free money, provided they have any left after one year of Liberal government.

OCCUPATIONAL HEALTH
AND SAFETY

Mr. Laughren: I have a statement concerning the abysmal state of enforcement of our health and safety laws in Ontario by the Ministry of Labour. As an example of just how bad it is, I refer to the situation at Waferboard Corp., just west of Timmins. There was a serious accident there on August 4, 1985. It has taken the Ministry of Labour seven months to investigate what is a clear case of negligence. No charges have yet been laid, and the deadline for charges to be laid is August 3, 1986.

As if that were not bad enough, isocyanates have been in use in that plant since July 1985.

There have been repeated complaints by the workers about throat and eye irritation. In December, there was a recommendation by the Ministry of Labour occupational health hygienist that a control program was necessary and that an order should be issued. In January, a survey showed that the isocyanates level in the air exceeded the maximum levels in three out of seven areas tested, and as far as I know, no control order has been issued yet.

Finally, it appears that notice was provided to Waferboard prior to the January 16, 1986, air sampling that was done.

The minister has not provided leadership, nor has he made it clear that control orders cannot be ignored and that charges will be laid.

TWO-WAY HAT

Mr. Sargent: The Leader of the Opposition (Mr. Grossman) had a one-way phone last week. Now we have for him a two-way hat that says: "I'm their leader. Which way did they go?"

TOURISM ADVERTISEMENT

Mr. Baetz: Come, Jane. See Dick. Look, Spot. Today we will learn a new word: incredible. The dictionary defines it as "surpassing belief." It is the key word in the new Ministry of Tourism and Recreation advertising program. Look, Jane. Look, Dick. Look, Spot. There on the corner of Yonge and Summerhill, on the big billboard along with the name of Ottawa and the picture of a waterfall, is our new word, "incredible."

In Ottawa, we are proud of our cultural attractions and spectacular sunsets, but incredible? Certainly the traffic jams on the Queensway, which the Premier (Mr. Peterson) promised would never happen, are incredible. They and the Premier's broken promise surpass all belief for the thousands of motorists trapped daily.

Look closer, Dick. Look, Jane and Spot, at the waterfall on the billboard. That is a picture of a phoney waterfall; it does not exist in Ottawa or even in Niagara Falls. In a province with so many beautiful waterfalls, the ad agency produced its own fake waterfall. Now, Dick, Jane and Spot, that is incredible. It is also incredible that the Minister of Tourism and Recreation (Mr. Eakins) would agree to spend more than \$500,000 of taxpayers' money on such a phoney ad. It all surpasses belief.

Down, Spot, down; get away from the billboard post. No need to raise your leg. I know how you feel about that ad and that you understand our new word, "incredible."

INSURANCE RATES

Mr. Swart: The insurance crisis in this province is becoming increasingly bizarre. In 1985, liability premiums escalated by between 150 and 200 per cent. Statistics Canada has just reported that liability claims payments last year rose by only 11 per cent. Thus, in the first quarter of 1986, total revenue attributed to liability insurance was almost double the amount of liability claims. That assisted casualty and property insurance companies to hike their profits from \$22 million in the first quarter of 1985 to \$173 million in the first quarter of 1986, a 700 per cent increase; but the rate hikes continue unabated.

The insurance companies have simply never had it so good; they hike the premiums and eliminate the risk. They have honed to perfection the Reaganistic philosophy of Tory Barbara McDougall, the federal Minister of State for Finance, who said two days ago: "There's one underlying motivation in business. It's called greed. It's what keeps the world of commerce going. There's nothing wrong with that, and we support it."

Obviously, those are the sentiments of Ontario's Minister of Consumer and Commercial Relations (Mr. Kwinter) as well. While he certainly solved the problems of the insurance companies, I think his obligation as consumer minister is to solve the problems of the insuring public.

ATTENDANCE OF MEMBERS

Mr. Callahan: I rise to address the opposition to determine how their picnic was at Ward's Island on the day we were voting on a very essential bill in this House. My recollection is that there were only 16 members here.

An hon. member: Thirteen.

Mr. Callahan: Sorry; there were 13 members. It seems to me their members were absent to a very large degree on a day when they should have been present in the House. Surely it behooves all of us to bring that to the attention of the public so the young men and women out there who are going to be helped by this funding can know that in no way, shape or form was it assisted by the opposition.

SOVIET REACTOR

Mr. Shymko: Three months ago today, the worst nuclear disaster in the peacetime history of man occurred in Chernobyl, Ukraine. With the generous assistance and co-operation of the member for Oshawa (Mr. Breaugh), I have tabled the following resolution and would appreciate if, with the agreement of all three House leaders, we could adopt it unanimously today without debate as a humanitarian act of this Legislature on this tragic anniversary.

The resolution is as follows:

"That in the opinion of this House, the government of Ontario should urge the government of Canada to take the following urgently needed actions to defend the physical and mental health of peoples affected by the Chernobyl tragedy:

"1. That the United Nations form an international investigative committee of scientists and medical experts to enter Ukraine and to assess the extent of danger, both domestic and international;

"2. That Canada declare its preparedness to contribute emergency aid such as medicine, food and technical personnel to help in treating the Chernobyl disaster victims either in the USSR or in our own medical facilities in Canada;

"3. That Canada announce an open-door policy for family reunification and sponsorship of immigrants wishing to leave Ukraine; and

"4. That the USSR permit more direct communication between Canadians and their relatives or friends in Ukraine."

I hope that at some stage today we can have the agreement of all the members of the House and the three House leaders to pass this unanimously.

2:10 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

WHEEL-TRANS LABOUR DISPUTE

Hon. Mr. Wrye: As honourable members will recall, on April 25 this assembly passed legislation to bring to an end the labour dispute between All-Way Transportation Corp. and Local 113 of the Amalgamated Transit Union. All-Way's Wheel-Trans division provides public transportation services in Toronto to handicapped people. The terms of the legislation provided that an arbitrator would examine and decide on all matters in dispute between the parties. On May 1, Howard D. Brown was appointed arbitrator.

Today I would like to inform the House that the arbitration award has been issued and received by the parties. Essentially, the award applies the terms of the memorandum of settlement which was entered into by the parties on April 18. The memorandum provides for a wage increase of \$1.37 per hour over two years for the drivers, who constitute the largest group of employees affected.

The award also applies the memorandum of settlement's provision requiring extra funding in the amount of \$377,000 to be shared equally by the Ministry of Transportation and Communications and the municipality of Metropolitan Toronto. I am pleased to advise members that this funding condition has been met by both funding authorities.

In accordance with the legislation, the parties are now in a position to prepare collective agreements that will give effect to the arbitrator's decision.

ALLEGED CONFLICT OF INTEREST

Hon. Mr. Fontaine: Two days ago in this House—

Mr. Brandt: On a point of order, Mr. Speaker: We do not have copies of the statement.

An hon. member: Copies of the statement are being distributed at this moment.

Mr. Brandt: We were not aware of that, and we would like to have copies.

Hon. Mr. Nixon: Everybody sit down till the copies are distributed.

Mr. Speaker: Order. Do the members have copies of the statement? Yes.

Hon. Mr. Fontaine: Two days ago in this House, the allegation was made that I am in breach of the government's conflict-of-interest guidelines because of my involvement with Golden Tiger Mining Exploration. I now wish to answer that allegation.

Golden Tiger was incorporated as a private company in Quebec in 1981 under the name Explorations Banque-Or Inc. In April 1984, the company name was changed to Golden Tiger. Golden Tiger is a mineral exploration company which has not made any discovery in Ontario or Quebec. The company first issued shares to the public on December 30, 1982. As a result of the public issue, shares owned by me were placed in escrow. I will now review in detail the disposition of those shares and shares owned by other members of my family.

On December 30, 1982, the company issued 19,080 common shares in my name. As required

by the Quebec Securities Commission, these shares were placed directly in an approved escrow account in the name of Golden Tiger. They are under the trusteeship of Guaranty Trust, a trust company licensed under the provisions of the Ontario Loan and Trust Corporations Act. These shares can be released from escrow only with the approval of the Quebec Securities Commission upon the application of Golden Tiger. I cannot cause their release.

Since December 30, 1982, there has been only one release of some of these escrow shares. On February 7, 1983, upon the authorization of the Quebec Securities Commission, 1,908 shares, or 10 per cent of the escrow shares, were released from escrow. They were delivered into the custody of my broker Osler, Wills, Bickle. There has been no change in the escrow account since February 7, 1983. Today, there remain in escrow 17,172 shares.

I did not in 1983, and do not today, have any control over these escrow shares. They are in an escrow arrangement under the sole control of Guaranty Trust. If Golden Tiger should in future apply for a release of some of these shares, and should the release of the shares be approved by the Quebec Securities Commission, they will be transferred to the custody of Canada Trust, which is the trustee of my blind trust. They will be dealt with in my blind trust without my knowledge or direction. I have received advice that I cannot even now transfer the escrow shares into a blind trust because of the provisions of the escrow agreement.

It is correct that my disclosure filing does not list the escrow shares. When I prepared my filing for the Clerk of the House, I forgot to list the escrow shares. I am a businessman. I believe ownership means control and the ability to exercise or direct that control such that one can benefit from what one owns. I do not own these shares within that meaning. Furthermore, I did not have and never have had custody of the escrow share certificates. I have never received any dividends from these escrow shares. Moreover, since 1983, I have not received any statements from Guaranty Trust evidencing its holding of these escrow shares. In short, since February 1983, I have not in any way dealt with these escrow shares.

These shares have my name on them, but I cannot direct their release from escrow. I do not control them. I cannot determine whether I will receive any benefit from them. I cannot sell them. I am separated from them by two third

parties over whom I have no control, Golden Tiger and Guaranty Trust.

I will now turn to the second lot of Golden Tiger shares. On December 1, 1985, I owned and controlled 45,354 shares, and my wife owned and controlled 3,000 shares. All of these shares were held in the custody of our broker Osler, Wills, Bickle in Montreal. After reviewing with our legal advisers our option either to sell these shares or to place them in blind trusts, my wife and I decided to dispose of these shares.

Accordingly, because my wife and I owned and controlled these shares, in December 1985, I instructed Osler, Wills, Bickle to liquidate our holdings in Golden Tiger. My shares were sold over the period of December 10, 11 and 12, 1985. My wife's shares were sold on January 13, 1986. The allegation that any of these shares were sold on March 3, 1986, is false. I have today tabled with the Clerk the account statements from Osler, Wills, Bickle that verify the dates of these sales. I did not list any of these shares in my disclosure filing and was not required to list them, because as at January 31, 1986, neither my wife nor I owned or controlled any of these shares.

I will now review the third group of Golden Tiger shares, which are owned by my adult children. As at December 1, 1985, my adult children owned 26,500 shares of Golden Tiger. Twenty-four thousand of them were held at a bank in Hearst. In early December 1985, I called my bank to arrange for the transfer of these shares to the safekeeping of the Midland, Doherty stock brokerage firm. At that time, I learned that, in fact, 10,000 of my children's shares were registered by mistake in my wife's name. I gave instructions to advise Midland, Doherty that upon its receipt of the shares, it should immediately re-register the 10,000 shares in my children's names. Yesterday, as a result of the inquiries made by my legal advisers, I learned that my instructions were never followed. Midland, Doherty has failed to re-register the 10,000 shares. My solicitors have today reconfirmed to Midland, Doherty my December instructions.

My adult children own and control these shares. The conflict-of-interest guidelines do not require that holdings by adult children be directed or placed in a blind trust and, accordingly, these shareholdings were not listed in my disclosure statement filed with the Clerk.

I have now outlined to the members the manner in which the Golden Tiger shares owned and controlled by me and my family, and the

Golden Tiger escrow shares registered in my name, have been dealt with since June 26, 1985. My legal counsel, Messrs. Blake, Cassels and Graydon, have advised that I have never been and am not now in a conflict of interest because of my duties as minister and my shareholding relationship with Golden Tiger.

I believe it is my duty now to bring to the attention of the members of this House four omissions from my disclosure statement filed with the Clerk on January 31, 1986. In May 1986, it came to my attention that I had not listed in my disclosure statement my shareholdings in two companies, Paladin Petroleum and Villeneuve Resources Ltd.

On December 1, 1985, I owned 1,200 shares of Paladin Petroleum and 5,000 shares of Villeneuve Resources. On December 5, 1985, I instructed my broker Jones, Gable to sell all my holdings in these two companies. I assumed that by January 31, 1986, these shares had been sold. In fact, my broker was unable to sell these until February. On February 5, 1986, my shares in Villeneuve were sold for \$715. On February 13, 1986, my shares in Paladin were sold for \$445. My broker has advised me that the shares could not be sold before those dates because there was no market for them.

I also own one share in a private company known as Les Industries Nordex. Nordex was established in Hearst to market peat moss. The company issued 50 shares to 50 people for \$200 per share. The company now has no funds. It is inactive. My single share has no value. There is no market for the share; it is not an asset. None the less, I have today instructed my lawyers to transfer this single share to my blind trust.

Finally, I am owed approximately \$13,000 by Evolution Hearst. I am also owed approximately \$50,000 by United Sawmill and René Fontaine Holdings Ltd. I am told by my lawyers that I should list these items in my disclosure statement even though, since January 31, 1986, they have been in the sole control of my trustee.

I also wish to advise the House that yesterday, in reviewing my disclosure statement, my lawyers discovered two transcription errors in the statement. My disclosure statement lists 126 preferred shares of Claybelt Lumber. This should read 126 common shares of that company. The statement also lists one share of Evolution Hearst. This should read 100 shares of that company. As of January 31, 1986, all of these shares had been placed in my blind trust, which is administered by Canada Trust.

I have today put all the facts before the House. When I filed my disclosure statement on January 31, 1986, I believed I had complied with the conflict-of-interest guidelines. Other members of the House, on strict technical interpretation of the guidelines, may wish to reach a different conclusion. Therefore, I have delivered to the Clerk this afternoon two envelopes; one is addressed to you, Mr. Speaker, the other to the Premier (Mr. Peterson). These envelopes contain my resignations as the Minister of Northern Development and Mines and as the member of this assembly for Cochrane North.

It is alleged that I have breached the trust of the citizens of Cochrane North, placed in me on May 2, 1985, and I wish to be judged by my electors.

Mr. Brandt: Today is certainly a very sad day in this House. I have served for—

Interjections.

Mr. Speaker: Order.

Mr. Brandt: With some sadness and a sense of some dismay, I listened to the member for Cochrane North (Mr. Fontaine) issue his statement today. It was extremely confusing and very difficult to interpret on this side of the House, in that it was fraught with a number of admissions that in some fashion, way, shape or form managed to escape the very close scrutiny of the Premier, who suggested back in January that all cabinet ministers would go through a very close check of any potential, possible, conflict-of-interest matters and that they were, in his words, "very squeaky clean" at that time.

Obviously, with four admissions and many more discussing the activities of his lawyer and the activities of his family, the member for Cochrane North finds himself today in a very awkward position. I want to make it very clear to the members on that side of the House that my comments with respect to that member's activities were singularly directed at his activities as the minister of mines, owning a mining company, and his involvement in a company he failed to disclose.

We did not call for his resignation on this side of the House or for his resignation as a private member. If the Premier and that member wish to force upon this province a competition in Cochrane North and subject the people of this province to that kind of cost, so be it. We are prepared to fight on the basis of the integrity of the members on this side of the House and on the fact that we have put before this House the facts as clearly and as succinctly as we know them. They have been answered today in a statement

that does not in any way, shape or form cover off the kinds of problems the member has.

Mr. Wildman: It is with regret that I respond to the statement by the former Minister of Northern Development and Mines and member for Cochrane North, an honourable member, for whom I hold great personal regard, although as a member of the New Democratic Party, I have had serious political differences with him on occasion. The member has demonstrated in his short term of office tremendous energy and commitment to his duties. I regret that an apparent conflict developed for whatever reason and that the matter was not dealt with more expeditiously in the past.

There is no joy in this kind of political statement today.

M. Rae: Si je peux répondre très brièvement aux déclarations qui ont été faites aujourd'hui par l'ancien ministre, M. Fontaine, j'aimerais dire d'abord que du point de vue de notre parti, il est clairement et tout à fait inconvenant pour un ministre d'avoir un intérêt, même un intérêt indirect, dans une compagnie minière quand il est le ministre responsable des mines.

C'est peut-être une dure tâche de devoir le dire, mais à notre avis, c'est absolument certain qu'à l'époque moderne de notre politique, c'est absolument inconvenant et c'est quelque chose qui doit être résolu par la démission du ministre, ce qui vient de se produire.

Deuxièmement, je regrette que le ministre ait dû admettre aujourd'hui qu'il avait oublié non seulement de faire une déclaration, mais d'en faire quatre au total. Un tel fait dans une déclaration importante de la part d'un ministre qui s'adresse non seulement à l'Assemblée mais à toute la population ontarienne, encore une fois, c'est quelque chose que je regrette personnellement parce que nous ne voulons voir aucun collègue, à l'Assemblée, placé dans une telle position, mais c'est clair qu'il n'a pas déclaré ce qu'il aurait dû déclarer, et c'est une faute assez importante.

Troisièmement, il y a beaucoup de choses qu'on voudrait dire, mais nous savons qu'il y aura une élection partielle et je ne veux pas qu'aucune de mes déclarations n'apparaisse dans une brochure du candidat libéral. Je veux tout simplement dire que cette élection partielle n'est pas nécessaire. Le droit du député de Cochrane Nord de continuer comme député n'est pas mis en question. Il n'y a aucun doute là-dessus.

Je ne sais pas exactement pourquoi il l'a fait et ça n'a rien à voir avec la réalité d'une déclaration inadéquate, une déclaration qui ne reflétait pas

tout à fait les faits. Je regrette profondément encore qu'en plus de démissionner de son poste, il ait décidé de démissionner comme député. Je crois que ça veut dire que nous aurons une élection partielle qui n'est pas nécessaire. Personne n'a encore dit qu'on devait avoir une élection suite à ça. Mais nous y serons, comme Nouveau Parti démocratique, si c'est ce que désire le député qui vient de démissionner.

Avec ces deux incidents, peut-être que ça mettra un terme au problème des conflits d'intérêts. Mais ça pose encore des problèmes pour le gouvernement, parce que c'est de plus en plus clair que les critères ne sont pas tout à fait établis, pas tout à fait connus et pas tout à fait respectés. Ça cause un problème de plus en plus grave pour notre vie publique.

MARINE AWARENESS PROGRAM

Hon. Mr. Keyes: The July 1 holiday has traditionally marked the start of the summer vacation period for many Ontario residents. Unfortunately, recent years have seen far too many of those holidays marred by boating mishaps. Indeed, problems created by impaired and disorderly boaters have become a major concern.

The fact that more than 100 people have been charged with alcohol-related offences since the start of the 1986 boating season highlights the need for stricter enforcement. That is why the Ontario Provincial Police has launched a marine awareness program. I am urging all members to support this worthy campaign.

Although the main focus of the marine awareness program is on education, the marine unit's 250 officers, with 105 vessels, will be more aggressive in addressing complaints. Each OPP boat will be equipped with an approved screening device to determine whether a boat operator has been consuming alcohol.

Statistics continue to show that approximately 42 per cent of the victims of fatal boating accidents had been drinking; 74 per cent of those were legally impaired.

The OPP will be keeping a close watch on boater behaviour and compliance with safety regulations. Community service officers will be in constant contact with cottage owner associations, boating clubs, children's camps and other groups to promote boating safety. A colour-coded navigational aid sticker will also be distributed during the course of the program.

I urge all members to support these efforts.

RESIGNATION OF MEMBER

Mr. Speaker: Although all members are aware of the letter I just received from the member for Cochrane North, it must be stated, for the record, that I am informing the House that a vacancy in the membership of the House has occurred by reason of the resignation of Mr. René Fontaine as member for Cochrane North.

2:35 p.m.

ORAL QUESTIONS

EXTRA BILLING

Mr. Grossman: I have a question for the Premier, as we begin the third week of the doctors' strike responding to Bill 94.

It is clear now, in spite of the earlier denials by the Minister of Health (Mr. Elston), that the government and the ministry have now offered resources, meaning in part money, to Women's College Hospital, in an attempt to buy more abortions. Is the Premier prepared to acknowledge that more than a serious problem or an inconvenience has developed for women seeking lawful abortions in Ontario?

Hon. Mr. Peterson: The minister can bring the member the full information on the subject he raises today.

Mr. Speaker: I understand the question is referred to the Minister of Health.

Hon. Mr. Elston: For the purposes of the public, I think it is quite clear that for some time we have been looking at the question of accessibility, and in situations where there have been allegations that certain pressures are being put on members of the therapeutic abortion committees in certain hospitals to carry out lawful abortions, we have made representations to Women's College to see if it needed resources with respect to any increased work load.

The member, having asked me the question yesterday about what we intend to do to provide assistance in situations such as that, will be pleased to know those inquiries have been made on an informal basis to see whether added resources are required. That was what was done, and I think members here will be pleased to know that ministry officials have been making every effort to ensure that the needs of women in this province are being taken care of and considered.

Mr. Grossman: We will come back to the question of the reality that the minister apparently was unaware of what was being offered and, second, the propriety of exactly how he chose to approach it.

How many hospitals has the minister approached to offer more resources to clear up an equally long, if not longer backlog in heart bypass surgery?

Hon. Mr. Elston: One of the concerns we have is that some people are not receiving elective procedures. We have undertaken to ensure to hospitals around the province that there will not be a need to provide layoffs of permanent staff. We have made it quite clear throughout the province that we are willing to see there are no layoffs of staff and that there are resources available for the hospitals to carry on their normal functions. I do not think it is any surprise to the member that we want to see the hospitals of this province well provided with resources. In particular, I have not made an inquiry myself with respect to bypass surgery.

Mr. Grossman: The minister now is telling us he has not made any inquiries in week three of the strike with regard to the cancellation and backlog of bypass surgery. The minister will surely be aware that there now will be an incredibly long waiting list for that surgery; the list has been exacerbated by this lengthy strike. How can the minister justify having taken action to sort out the backlog on abortions and then come to this House today and say he has not even asked the question and does not have the statistics to determine whether there is an equally serious problem facing bypass surgery, which may prove to be life threatening if he ignores it any longer?

Hon. Mr. Elston: I think the honourable gentleman would want to leave the question of what is life threatening to the physicians of this province. That is what we intend to do. In effect, they make those decisions and determinations. What is being planned at the hospital level is to provide facilities when those operations are undertaken by physicians on their own decision.

The member may want to intrude between the patients and the physicians to demand that the physicians do certain things, but he does not quite understand, even though he is a former Minister of Health, that the administrators and board members of the hospitals of this province make themselves aware of the needs they require to meet the demands for health care in the province. Even now, they are planning to deal with the question of providing the services that are required to assist physicians when they preform their surgeries.

I am watching very closely to see that the resources are in place to help any hospital deal with the provision of health care in the province,

as is normal and as is required by my mandate as Minister of Health.

Mr. Grossman: Once again, we are going to try to see whether the Premier will answer a question relating to the doctors' strike.

The Premier has now heard his Minister of Health indicate he is trying to do something to alleviate the problems with regard to abortions that have been created by the strike. Given the actions of the Minister of Health, is the Premier prepared to acknowledge today that we now have more than an inconvenience and now are moving, in week three of the strike, to potentially dangerous circumstances?

Hon. Mr. Peterson: I know the honourable member opposite has been trying to create that impression every day in the House, going back a couple of weeks. I do not agree with my friend's description.

Mr. Grossman: If he does not believe we are approaching dangerous circumstances, why did the minister suddenly offer, as he has just indicated, extra resources, meaning money, to Women's College Hospital in day 15 of the strike to clear up a backlog in abortions? Either there is a problem that he has dealt with or there is no problem. How can he explain that inconsistency?

Hon. Mr. Peterson: The minister explained that to the member extremely well. We have been concerned, and it has been raised in this House many times, about access to therapeutic abortion services under the law, using the existing institutions. It is one of the things this government has been looking at and studying. We have been looking at the allocation of resources in that regard. I think it is quite clear.

Mr. Grossman: I hope the Premier will have an opportunity in the media scrum afterwards to deal with the question of whether the move he has made on abortions is related or unrelated to the doctors' strike, because he is not going to be able to get away with that suggestion.

My final question to the Premier is, if he is not prepared to admit that there is more than an inconvenience, how does he feel about the fact that Dr. Morgentaler's clinic, in response to telephone calls, is offering special deals on abortions during the currency of the strike, indicating that if a patient brings her Ontario health insurance plan card, she can get \$40 off if her pregnancy is 12 weeks or less, or if it has progressed more than 12 weeks, she can get an \$80-reduction? How does he feel about this circumstance that he has played a major part in creating? What is he going to do about it?

Hon. Mr. Peterson: I realize the honourable member would like to blame me for everything in this province, and that is fair enough; that is his prerogative. The answer is, I have not heard of the facts he raises, and I do not like the situation at all.

This government does not favour free-standing abortion clinics. Abortions can be pursued under the law. We do not favour pursuing abortions under illegal circumstances. We are doing exactly what Roy McMurtry did; the Attorney General (Mr. Scott) is doing exactly the same thing.

Mr. Rae: I have a question of the Premier. It concerns the terrible appearance that is now taking place with respect to the application of the law—who is covered, who is not covered, how it is going to be enforced and how it is not going to be enforced.

Can the Premier confirm the reports that are widely reported in the newspapers that he specifically offered that the government would not prosecute doctors, even if they broke the law, if certain other conditions were met? Did he make that offer? Can he tell us why he would make that offer?

Hon. Mr. Peterson: I am glad the member asked me that question, because the answer is a clear, categorical no, I did not make that offer.

Mr. Rae: Perhaps the Premier can explain something said by Dr. Railton and Dr. Scully, with whom I have disagreed on a number of occasions, but who I think, when they say things, tend to be pretty straight shooters in how they recount events. Is he saying they are not telling the truth when they make the very clear accusation that he made an offer on the telephone to Dr. Railton that there would not be prosecutions for doctors who extra billed, in exchange for the Ontario Medical Association executive indicating to its members it felt they should comply with the law?

Hon. Mr. Peterson: I am glad the member asked me, because it is very clear there were no government offers. I shook Dr. Scully's hand the other day, but I have not talked to him in months. How he gets his information, I have no idea.

The member will also be aware that a lot of remarks in this whole discussion have been attributed to me that I can assure him were not mine. They get quoted and they sometimes take on a currency that, frankly, they do not deserve. My honourable friend will know I have not chosen to respond to every personal remark that has been made about me, the minister or even himself, for that matter, in this entire discussion.

I do not think that is constructive as we discuss these things.

Let me assure the member again that no offers were made. Discussions were held about options. We had a meeting with the Attorney General, the Minister of Health, Mr. Trevino, Dr. Moran and Dr. Railton. He subsequently phoned me the next night at home, but I can tell the member there were no offers on the table.

Mr. Rae: May we take it that it is the government's intention, as of Friday, to prosecute doctors who insist on extra payments from their patients? Is that the policy of the government?

Hon. Mr. Peterson: The answer is that Bill 94 is the law of the land, the law of this province, and it will be fulfilled. With respect to prosecution, as I said in this House some days ago, we intend to be fair and flexible in the implementation. There is an adjustment of the bookkeeping systems, and there are two levels of redress in a sense. One is a financial deduction and the other is a fining system.

I repeat to my honourable friend that we are not interested in fining doctors; we are interested in ending extra billing. I assure my friend the law is in full force and efficacy.

2:50 p.m.

Mr. Rae: I do not think the Premier has quite interpreted the law as it is set out in Bill 94. Under section 49 of the Health Disciplines Act, the Minister of Health has the power to review the activities of the council of the College of Physicians and Surgeons of Ontario and the power to "request the council to undertake activities that, in the opinion of the minister, are necessary and advisable to carry out the intent of this act."

The following statements were made by the council on June 16: "It is unacceptable to have a serious disruption of emergency capabilities in referral or tertiary care institutions. These special institutions with regionally agreed-upon specialized programs provide unique and essential services."

Can the Premier explain why the cabinet or the Minister of Health has not specifically asked the council of the college of physicians and surgeons to discuss the fact that with the withdrawal of emergency services at Mount Sinai Hospital and the same taking effect at the Wellesley Hospital, there has been a direct flouting of this particular circular of the college?

Hon. Mr. Peterson: The Minister of Health can bring the member up to date on the

discussions with the college in that regard. May I refer the question to him?

Hon. Mr. Elston: We have had continuing discussions with the college, as the honourable gentleman knows. The college has made representations with respect to emergency services. We know emergency services are being maintained and provided on the basis of attendance in the emergency areas by physicians.

In addition, I think it would be helpful for the members if I quoted from a release of today's date by the college, in which it has warned medical practitioners to "maintain the availability of essential medical care in the hospitals during the current withdrawal of services by members of the Ontario Medical Association." In addition, the college indicated that "no physicians should withdraw their professional services within a hospital without giving notice adequate in the circumstance if such action were to compromise the availability of essential medical services in that hospital."

The college of physicians and surgeons has been active, continues to be active and I have its undertaking to be very much more active in this particular situation.

Mr. Rae: Perhaps the minister can explain why in today's circular the college of physicians and surgeons completely reinterprets the law and does not refer specifically to any of the regulations of the Public Hospitals Act. Instead, it puts in much milder, wet noodle language, to replace the very specific language of the act. If the college could not enforce and uphold its circular of June 16 nor its later circulars, which deal specifically with the problems we are addressing, why should the public of Ontario believe it is really prepared to do what has to be done to ensure that the patients of this province get access to the emergency services and other services they deserve and need and that so far they have not been getting because the college has not been able to do its job?

Hon. Mr. Elston: I must disagree with the honourable gentleman. These people have been doing a lot more work and engaging in a lot more activity. They have undertaken more efforts to ensure medical care is available. They have received requests for activity and investigation. Under the circumstances, when incidents have been brought to their attention, they have intervened and sent inspectors to facilities to deal with the question.

The circular of today's date, which the member noted, indicates they have clearly and very reasonably taken steps to deal with the York

County Hospital situation, where they were able to get a specialist in internal medicine to come back to that facility to ensure there were services available there.

The college has been performing its role and working on fulfilling its role in the public interest.

Mr. Rae: There is a clear sense by the public of this province that there is one group of people that is entirely above the law. One of the reasons it is above the law is that the only instrument the government has chosen with which to enforce the law in this province is a college that is incapable of enforcing the law as it exists. Nurses are being laid off. They cannot go out on strike because they are essential. Dietitians are being laid off. They cannot go out on strike because they are essential. Apparently, the only people who are not essential to the government of this province are the doctors and they are a so-called self-governing profession.

Mr. Speaker: Question.

Mr. Rae: It is a sick joke when it comes to how the law is perceived in this province.

Mr. Speaker: Question.

Can the minister tell us what he intends to do about the circular, sent around more than two weeks ago, which deals with the shutdown of emergency services at teaching hospitals and which will also affect the threatened shutdown and action mentioned by Dr. Myers yesterday to be taken with respect to the Hospital for Sick Children? What is the minister going to do to make sure this circular at least stands up and that people get access to the emergency services they deserve?

Hon. Mr. Elston: With respect to the indications of the honourable gentleman, it is my understanding that there was a press conference held at one o'clock. I have not received the details of it, but I understand the essence of the information is that there is not going to be a shutdown of the emergency facilities at Sick Children's Hospital and that the medical staff has decided to continue providing services there. Because of that, I think the circular has had its effect. Although the member would perhaps like to cause more problems for the College of Physicians and Surgeons of Ontario, under the circumstances I think it is doing a job that has to be done. It is not an easy one and, under circumstances where there are pressures of time, the college has taken investigative opportunities in hand and, I am sure, will be dealing with the situations.

Mr. Andrewes: My question is to the Minister of Health. On January 31, he stated, in response to a question by the Leader of the Opposition (Mr. Grossman), that he was in the process of speaking to dentists about various agreements on fees. Dental surgeons withdrew their services this past Monday. Six months after the minister started this process, we have moved from a situation where these services were available to people in the province to one in which they are completely unavailable. What is he going to do about this problem of health care inaccessibility?

Hon. Mr. Elston: I met with the dentists in my office Tuesday afternoon and we had discussions in which we reflected on certain issues that had been brought up. I think they were to meet again this morning at nine o'clock. I was not in the office at nine o'clock. I was at the Grey-Bruce Regional Health Centre opening and have not yet received a report on the meeting. I am very serious about dealing with the concerns and questions the dentists have raised with me.

Mr. Andrewes: The minister knew well in advance that the dentists were going to withdraw their services. He has known that for several months now. This whole issue "got lost in the shuffle," to quote one of his personal staff. It seems to me quite obvious that he did not do his homework. Now he is running around trying to make a deal with the dentists in the same manner he is trying to make a deal with the doctors at Women's College Hospital.

He is the minister responsible for health services in Ontario. Will he give us some guarantees that he will now go to work, negotiate in good faith and try to resolve this problem of health care inaccessibility?

Hon. Mr. Elston: I always negotiate in good faith. In fact, we have been doing that.

RENT REVIEW

Mr. Reville: I have a question for the Minister of Housing concerning rent review. On Tuesday my leader and I had a little sport with the ministry's cute acronyms, BOCI, building operating cost index, and RCCI, residential complex cost index. Unfortunately, the answers of the minister left the tenants of Ontario as much in the dark as they left this Legislature.

Will the minister stand in the House today and tell us and the tenants of Ontario what kind of knockout punch the tenants are going to get when their rents increase on January 1, 1987? To make it absolutely clear, perhaps he can use a \$500 rent at this moment and tell us what the increase will be as of January 1, 1987.

Hon. Mr. Curling: I thank the honourable member for his question. I do not make a sport of people's lives, as the member and his leader may be wanting to do. I take the landlords' and tenants' concerns very seriously.

Mr. McClellan: Try to answer just one question.

3 p.m.

Hon. Mr. Curling: If the member will give me a chance, I will answer it. I do not think he needs the answer, as a matter of fact. Increases in the past were exorbitant. Previously, not all tenants were covered under the rent review process. We have now covered all tenants and have given protection to all tenants in Ontario under our rent review process.

Specifically, the member asked for the percentage increase. He knows Bill 51 is coming before the House very shortly. If it is approved, then we will be able to determine the percentage.

Mr. Reville: First, let the record show that I made sport of the ministry's cute acronyms, not of people's problems. I do not want to take the time of the House on that matter.

I gave the minister the clear option of answering a question about a rent of \$500 today and what would happen to that rent on January 1, 1987. I will give it another try. For those tenants in Ontario who have not yet heard the good news from the ministry air show, will the minister tell the House what my rent will be on January 1, 1987, if I pay \$500 a month today, and will he tell me what percentage that is?

Hon. Mr. Curling: I expect the honourable member to know the procedure of the House much better than I.

Interjections.

Hon. Mr. Curling: He knows Bill 51 is before the House. When it is passed, we will be able to determine the rate by which it will be increased in January 1987.

ALLEGED CONFLICT OF INTEREST

Mr. Grossman: My question is for the Premier. The now former member for Cochrane North has indicated both in his statement and outside that he believes he did nothing wrong. Can the Premier tell me whether he shares that point of view?

Hon. Mr. Peterson: I have looked at these facts, and while I recognize the member feels he has not violated the conflict-of-interest guidelines, I also recognize there is another construction that will be put on that situation. I think he has taken the honourable course in the circum-

stances. I do not expect the honourable member would ever agree with me or with him on these circumstances, but surely he will respect it and will stand up in this House and acknowledge he did the honourable thing.

Mr. Grossman: The resignation of his seat was totally unnecessary. A proper handling of this matter would have been for a Premier who cared about his standard of conduct to get his resignation from cabinet but not from his riding.

The Premier is quite correct in saying he and I will not agree with regard to the question of whether the former minister complied with the guidelines on conflict of interest. I believe he did not. Does the Premier believe he did?

Hon. Mr. Peterson: Is the Leader of the Opposition (Mr. Grossman) telling me he did not violate the conflict-of-interest guidelines? Is that what he is saying in the House? I can understand that on a strict technical construction—

Mr. Grossman: We want to know what the Premier thinks.

Hon. Mr. Peterson: I believe the honourable minister believes he did not. I guess the member is focusing on the—

An hon. member: The Premier would believe anything.

Mr. Speaker: Order.

Hon. Mr. Peterson: I can understand those who disagree with the opinion.

Mr. Grossman: We want to know what the Premier thinks.

Hon. Mr. Peterson: What is implicit in the conflict-of-interest guidelines is some benefit. Did he benefit from it? I can understand the member taking the interpretation on a strict technical construction—

Interjection.

Hon. Mr. Peterson: Can the member do that again to the troops? I thank him for getting silence over there.

It is one of those difficult situations. I can understand that what we are talking about is the definition of those escrow shares over which he felt he had no control, which were in the hands of Guaranty Trust, which was tantamount in a sense to a blind trust. Under the conflict-of-interest guidelines, there is no provision to deal with that kind of situation.

I have to take some responsibility in the sense that the conflict-of-interest guidelines we inherited, and that we have tried to work with and try to comply with, are not tight enough. No one is sure about these kinds of situations.

Mr. Runciman: The Premier watered them down.

Hon. Mr. Peterson: That is not right. Perhaps we need a thorough discussion with all members of this House. It is not impossible that in 42 years the Conservatives could be back over here and might have to deal with these situations themselves. I believe it is something all members of this House have an interest in. What about the conflict of interest of other members of this House who are not members of the executive council? Those are questions that have to be raised also.

Mr. Speaker: Order.

Mr. Wildman: I have a question for the Premier. Will he clarify for us whether he believes that in circumstances such as these it is the proper course for a minister of the crown to resign, not only his responsibilities in the executive council but also his seat, and have the electorate decide rather than his peers in the Legislature?

Hon. Mr. Peterson: The honourable member has to put himself in the position of the minister. I appreciate the charitable words the member used with respect to my colleague, because I believe a lot of us feel the very same way he so eloquently expressed. I do not think anyone wishes him personal ill, and that is not the question. I believe he believes he complied with the conflict-of-interest guidelines. I can also understand those who may take a different interpretation of the situation. Therefore, he felt attacked.

There is not a more dedicated minister in the House, believe me. The honourable member has never been in this circumstance. It is not very much fun to stand up and have one's integrity attacked as if one were benefiting in some untoward way from this situation. That is the implication. It may not be the specific charge, but it is the optics. He felt that as a matter of honour he should do what he has done. We all have to respect that. It is the honourable course. It is a very tough course, but when men of honour, such as he, are serving in public life, then I believe we all benefit.

Mr. Wildman: With respect, the Premier did not answer the question. When there may be apparent conflicts, for whatever reason, how should that matter be dealt with by the House to resolve whether the guidelines were violated?

Hon. Mr. Scott: Let the people judge him.

Mr. Grossman: We want the Premier to judge him.

Mr. Speaker: Order.

Hon. Mr. Peterson: That is a fair question, but I do not know the answer to it. Perhaps we should have some committee of this House dealing with those situations. As the honourable member knows, it is a highly political forum. The member knows and I know what the motive is of the members opposite. We are currently facing a situation like that. Should we all stand in judgement of our peers in these matters? Should we have an independent tribunal? As I understand it, the federal government had a committee to look at this type of thing and recommended a so-called independent ethics commissioner.

I have a very open mind on this question because, believe me, I would love to have advice on these matters. I am not suggesting we are perfect by any stretch of the imagination. I am not suggesting errors in judgement have not been made. What should be the punishment in that circumstance? Resignation or what? Who should pass judgement? Should it be done in a partisan way or in an independent kind of way? I am searching for advice on the matter.

I would like to see this matter discussed by one of the committees of the House. I do not know which is the appropriate one—perhaps the standing committee on the Legislative Assembly. I would be very happy to share what I know about the subject.

Hon. Mr. Nixon: If the chairman can take the time.

Hon. Mr. Peterson: If the chairman is not tied up doing other things. We may want to look at this question, get advice and get fair rules for all. Nothing troubles me more.

As I said before, the essence of a conflict of interest is that there is some benefit accruing to the minister as a result of ministerial participation. I am persuaded that is not the case, but we now are going through some difficult situations.

3:10 p.m.

STABILIZATION PAYMENTS

Mr. McKessock: I have a question for the Minister of Agriculture and Food. Because Ontario potato producers have been hard pressed for proper funding as a result of low prices for their commodity, and imports from other provinces, what does his ministry have in mind to assist the producers through these hard times?

Interjections.

Mr. Speaker: Order. Will the members show a little respect for the House? I will wait. If the

members want to waste their time, they can go ahead and waste it.

Hon. Mr. Riddell: Judging by the reaction across the House, it is unfortunate the official opposition has been so preoccupied in matters that are tantamount to cheap politics that it forgets about the things that are important.

I am pleased to inform my colleague, who does have an interest in agriculture, that I have met several times with representatives of the Ontario potato producers to see whether we can work out some kind of retroactive stabilization payment to address the low prices that potato producers received in 1985. I also tried to get the federal government to participate in a retroactive program for the potato producers but was unable to get any kind of consent from my counterpart in Ottawa.

I then sent the potato producers to the Farm Income Stabilization Commission of Ontario to see whether some program could be worked out whereby potato producers would receive a retroactive payment for the 1985 crop. The commission received the farmers favourably, and I am waiting for a report from the commission with its recommendations.

Mr. McKessock: I am pleased to hear what the ministry is doing for 1985, but I am also concerned about the future. What does the minister have in mind to help the potato business on a national basis?

Hon. Mr. Riddell: The eastern Canadian provinces and Ontario are currently meeting to discuss a national potato agency. I sincerely hope they will get the co-operation of my counterpart in Ottawa for a national agency. I am very supportive of a national agency for potato producers, as it could control the supply of potatoes and the producers could expect a more reasonable price. We are striving for a national potato agency.

ALLEGED CONFLICT OF INTEREST

Mr. Grossman: My question is for the Premier. I want to begin by reminding him that the question with regard to his ministers is not what the other members of the House believe in terms of the standard of conduct; we set ours out for the public. The Premier chooses the cabinet ministers. He passes judgement on their competence and ability to serve as ministers. He decides whether someone should remain in cabinet.

What is in question is the standards he has for his ministers. The member for York South (Mr. Rae) can set out the standards he would hold to for his ministers, and I can do the same for mine.

Mr. Speaker: Question.

Mr. Grossman: The question is what the standards are. Specifically, does the Premier agree with the former member for Cochrane North when he says he did not violate the conflict-of-interest guidelines?

Hon. Mr. Peterson: I believe the minister demonstrated sensitivity to charges that have been levelled against him. As I said, I take his explanation at face value. Frankly, he has demonstrated a higher code of honour in this House than I have seen in a very long time around here. I accept his resignation, and now we will have to move on from there. He has made a significant move, and I think we have to accept it as that.

Mr. Grossman: I wish to ask the Premier for the fourth time whether he believes the former member for Cochrane North complied with the conflict-of-interest guidelines.

Hon. Mr. Peterson: We went through this several times before. I do not believe he achieved any benefit. I believe he believed those escrow shares were quite in order. But he also understood, as I do, the difference of opinion of the Leader of the Opposition (Mr. Grossman) and his wanting to embarrass him, which is fair enough; that is his prerogative. Out of respect for that, and because he has great faith in his own honour, and I have great faith in his honour, he has done the honourable thing. Why will the Leader of the Opposition not respect that rather than trying to continue to throw—

Mr. Speaker: New question; the member for Sudbury East.

EXPOSURE TO ASBESTOS

Mr. Martel: I have a question for the Minister of Labour regarding asbestos. Nothing has changed in this province since July 1982, when I asked a question of the then Minister of Labour about the removal of asbestos at Surrey Place. Work goes on in government buildings and public buildings even today with respect to the removal where no one notifies the contractors that there is asbestos. Can the minister tell me why he and the Ministry of Government Services continue to allow this to occur? They allowed it in Surrey Place as they are doing in the Perley Hospital now. When is the minister going to get serious about the proper removal of asbestos, particularly when it involves the Ministry of Government Services, which continues to flout the law every day?

Hon. Mr. Wrye: All I can tell the honourable member is that this ministry and this minister are very serious about making sure the law is not flouted. Anyone who violates the law will be subject to possible prosecution; that includes not only private enterprise but government as well. It is very important that this government, in terms of health and safety as in so many other areas, leads by example.

Mr. Martel: I am pleased to hear that. The minister will be aware of the work being done at the Middlesex courthouse in London, where last week there was a stop-work order, because of the asbestos removal, initiated by a worker who is a member of the Ontario Public Service Employees Union. The Ministry of Labour and the Ministry of Government Services have known since 1980 that the courthouse contains asbestos. The contractor was not advised when he undertook the contract. He could not advise his workers to wear protective equipment. The public was not provided with protective equipment. Does the minister intend to lay charges against the Ministry of Government Services, or is this going to sink into the swamp like everything else?

Hon. Mr. Wrye: I share the honourable member's concern about this matter, and I have had substantial briefings with my staff on this. As well, I have had some discussions with my colleague the acting Minister of Government Services, the Minister of Education (Mr. Conway). The honourable member is right; asbestos was identified in 1980, and in Dr. Sullivan's report it was identified that it was safe as long as nothing was done to disturb it.

It is clear that contracting work had begun on the second and eighth floors at the Middlesex courthouse at the time we were called in. Whether it was by a complaint from an OPSEU worker or from an MGS management employee, I am not sure. Stop-work orders have now been issued by both the construction health and safety branch and the industrial health and safety branch. I can assure the honourable member and those workers that we are going to make sure, before any stop-work orders are lifted, that the proper assessments are done and that the proper plans are in place for removal of the asbestos. I assure the honourable member, with respect to possible prosecution, we take the matter of ignoring the 1980 advice very seriously.

3:20 p.m.

PRISON FACILITIES

Mr. Callahan: My question is addressed to the Solicitor General. In the Ombudsman's report, which was filed yesterday or the day before, there was mention made about the conditions at the correctional institutions not being quite up to par because of the Young Offenders Act. Is that situation continuing, and what steps are being taken to remedy that?

Hon. Mr. Keyes: I suggest the honourable member's question should be directed to the Minister of Correctional Services rather than to the Solicitor General. I will do my best to answer when I put on my other hat. I defer to the Minister of Correctional Services.

Speaking as Minister of Correctional Services, I know there are some conditions in some of our institutions today that do not meet the type of requirements any of us would want to see. As the members know, we have seen increasing numbers of convictions and confinements in the province. However, upon taking the ministry role, we have developed a very long-range plan known as the corporate plan, which shows what we plan to do over the next five years about trying to improve the lot of the people who are put into our institutions.

We are also working to try to create many facilities outside of the regular, known, 47 institutions we currently have. That large-scale plan of renovation to institutions has been completed and put before Management Board. We feel confident this government will provide moneys to upgrade the facilities that have been left neglected by the previous government for so long.

Mr. Callahan: Since the Young Offenders Act is basically a new federal statute, have there been any steps taken or any discussions with the Solicitor General of Canada with respect to some contribution he might make with reference to the increase in facilities required by the Young Offenders Act?

Hon. Mr. Keyes: We have ongoing negotiations with my counterpart the Honourable Perrin Beatty, the federal Solicitor General, with regard to the Young Offenders Act. We do collect some moneys for them for specific purposes related to the administration of that act.

In co-operation with the Ministry of Community and Social Services, we are hoping to acquire some of its excess-capacity facilities in the very near future. As soon as Management Board concurs with our renovation plans for those facilities, we will relieve what is consid-

ered and seen by some to be slight overcrowding in some of those institutions.

ALLEGED CONFLICT OF INTEREST

Mr. Grossman: I have another question for the Premier. In answering one of my earlier questions with regard to the former member for Cochrane North and the Premier's own conflict-of-interest guidelines, the Premier indicated the question somehow related to whether a minister did, in fact, benefit from a situation. Does the Premier think a minister contravenes the conflict-of-interest guidelines only if he does or could benefit?

Hon. Mr. Peterson: Clearly that is not the case, but that is the logical reason and the logical extension of why one has conflict-of-interest guidelines: to prevent someone having a benefit. On the other hand, I recognize the optical question as well, that people who are involved in this kind of work must appear not to be benefiting. I recognize how appearances can vary from time to time, and I recognize how certain people would like to take advantage of those appearances to create certain impressions. I was discussing in theoretical terms the nature and the reason for conflict-of-interest guidelines.

Mr. Grossman: With respect, I believe the Premier shows lack of understanding of the whole purpose of conflict-of-interest guidelines. The whole point of them was to remove the perception problem by ensuring that in every jurisdiction of this land a minister would file all his holdings; not where he did benefit but where he could benefit. Therefore, all of the public would know, with regard to the holdings, that there would be no secrets and where there were certain activities that could occur due to control, that would be in a blind trust or whatever.

Surely the Premier must endorse the principle behind conflict-of-interest guidelines, which is not that a minister violates them when he does benefit but when he could benefit. Would the Premier not agree with me that is the whole point behind the conflict-of-interest guidelines?

Hon. Mr. Peterson: I said that is one of the reasons, the perceptions or the optics of the situation. My honourable friend occasionally must turn just perceptions into substance as well. One has to look at the substantive basis as well as the perceptual side; I think I said that. Unless he has more insights to share on this matter, I think I have answered his question.

INSURANCE RATES

Mr. Swart: My question is to the Minister of Financial Institutions. He will know from Statistics Canada that the casualty and property insurance companies increased their profits by more than 700 per cent in the first quarter of 1986 over the first quarter of 1985. He will also know that the liability claims increased by only 11.2 per cent last year. Premium income on liability insurance plus interest income was almost double the payout.

Given that satisfactory performance of the insurance companies, even in his terms, how can he, as consumer minister, condone the continuing second round of massive increases that are now being applied on liability insurance?

Hon. Mr. Kwinter: I do not like to answer a question with a question, but in a free market system, if everybody were making that much money, there would be somebody in there saying, "I can make as much"—not the 700 per cent he quotes, but maybe 600 per cent—"and I will cut the price." As a result, it depends on how one takes the calculations.

My information is that when it comes to the liability business, they are not making nearly those figures the member is quoting.

Mr. Swart: It is nice to hear the minister supporting a system that has increased liability premiums by 200 per cent in one year. Is the minister not aware that the Ontario Hospital Association, starting July 1, is having the liability premium for its associated hospitals increased from \$21 million to \$40 million? The Durham Board of Education saw its premiums for liability insurance go up from \$63,000 to \$217,000 last month. The Canadian National Exhibition, as he knows, cannot get adequate liability insurance for the midway.

By his own permission and collusion, the minister has solved the problems of the insurance companies. Why does he not act as a consumer minister and protect the insuring public of this province by capping the present rates and rolling back all the second-round increases?

Hon. Mr. Kwinter: The member will know we are currently receiving submissions in response to the Slater task force report. They have until July 31 to do that, and then we will be addressing those problems.

As far as the three items he mentions are concerned, I would like to spend a little bit of time discussing them. We have set up the availability of reciprocal pools so that hospitals and school boards can self-insure. When it comes

to the CNE specifically, the member should know that it had \$3 million of liability. It felt it could not afford to pay any more. It went to Metro and asked for help. Metro decided it would accept the \$3 million. It has coverage. That is the situation. The member may not like it, but that is the case.

COURTHOUSES

Mr. Callahan: I would like to address my question to the Attorney General. In Peel county, a provincial court building that was formerly leased under the administration of the Conservative government provided for a 25-year lease, and I believe it was at a net cost of \$2.5 million a year.

What steps are being taken to bring that courthouse up to snuff, particularly in view of some of the investigations that have been made in terms of the air quality, security and so on? What steps are being taken to provide an alternative facility, because this marvellous facility we had provided only 12 parking spots?

3:30 p.m.

Hon. Mr. Scott: I thought we were supposed to have warning of these questions.

I am well aware, as is the honourable member, and indeed he has persistently brought it to my attention, that the provincial court facilities in Brampton are not adequate for the needs of the community.

Mr. Andrewes: Why does the government not break the lease and rent another building?

Hon. Mr. Scott: It is true, we are locked into a very significant lease to local interests, which will tie us into Brampton for about 25 years at a very high rent. Notwithstanding that, we are looking at other opportunities in the community.

It is not the highest-priority location in the province. There are other communities on the list as well. I hope to be able to tell the member very shortly—

Mr. McClellan: The member just wants a better office for himself.

Hon. Mr. Scott: No. He wants to make a better deal for the community than the previous minister.

Mr. Speaker: Interjections are out of order.

Mr. Callahan: In the absence of the Minister of Health (Mr. Elston), I cannot ask him a question. I will ask a supplementary of the Attorney General.

In addition to the rather tragic lease that was negotiated by the previous government with reference to the provincial court building, there is

also a considerable backlog in the court administration in the district court. Our facility has outgrown its capacity for people who have moved into my delightful region. What steps have been taken to look into that?

Hon. Mr. Scott: In my riding, we thought Brampton had it all its own way for 25 years. I am surprised to hear these complaints about conditions in Brampton.

I am aware the provincial courthouse facilities there are not adequate to the needs. We have them on the list, and they will be reviewed. We hope to have that completed very shortly, which will establish priorities for the next five or six years.

EXTRA BILLING

Mr. Rowe: I have a question of the Minister of Tourism and Recreation (Mr. Eakins). In his absence, I will direct it to the Premier.

Yesterday morning, American radio news in New York state warned potential tourists to our province, "If you travel to Ontario, you are taking your life into your own hands because of the doctors' strike."

In a province that boasts the finest health care system in the world, a health care system studied and envied by our American friends, the Premier and his government have managed in one short year to denigrate that health care system to the present state. What does he intend to do about this kind of campaign, telling American tourists into Ontario, "Do not come here because it is not safe?"

Hon. Mr. Peterson: I could be misinformed, but I thought I read in the newspaper this morning that the person who was alleged to have said that said he did not say it. Am I right?

Hon. Mr. Nixon: That is right.

Hon. Mr. Peterson: I hope the member will stand up in the House and make a retraction of what he has just said and say there are no problems. I hope he will use the great credibility he has achieved in a short time in this House to persuade people here, in New York and in other states that there are no problems here. This is still the wonderful province it has always been.

Mr. Rowe: The radio station was WTOJ, 103 FM in Watertown, New York. The item was there on Wednesday morning at 8:30. It was picked off the wire service. It was on the air; the Premier does not need to worry about that.

Mr. Speaker: Question.

Mr. Rowe: What does he intend to do about it? Nothing, as he obviously has done before?

Does he intend to do anything about this kind of advertising on the American side for our tourists, or is he just going to sit there and let it go?

Hon. Mr. Peterson: I do not want the member to get his exercise by throwing his Smurf ball at me over there. I personally listen to CBC, and it reports rationally on all these things. I recommend it to the member.

If he listens to one of the American stations—it sounds like a rock station; they tell me it affects the ears and, eventually, listening to that music can affect the mind—then I recommend that the member not listen and tell his friends not to listen to that radio station any more. He should listen to CBC. It will tell him everything is fine in Ontario.

COURTHOUSES

Mr. Allen: I have a question for the Attorney General. Before he turns to Brampton's problems, he might look to Hamilton's. For a number of years, Hamilton has had a very dispersed provincial court system scattered all over the western half of the region, with poorly planned facilities, poor states of repair, cells desperately crowded, judges having their libraries inaccessible for ready reference, no private interview space on many days unless one uses the washrooms, etc. Officers cannot even deliver the prisoners to the cells, because the van cannot get in the doorway.

Mr. Speaker: Question.

Mr. Allen: The Attorney General knows these problems. He has known of them for some time. Will he please stand up and tell us now when he is going to give us a new central court facility for Hamilton and region?

Hon. Mr. Scott: That is a very good question. We have already taken initiatives with respect to the unified family court building in Hamilton, which was in a deplorable state. We have made arrangements to deal with that. We are dealing with North Bay. We are dealing with some other matters.

I must tell the member that an extraordinary feature of my job is that I was hardly in office a week before members on all sides of the House came to me saying the courthouses in their areas were in deplorable condition. I heard complaints about it even in York South.

Mr. Rae: I do not have a courthouse in York South.

Hon. Mr. Scott: The complaint was that they did not even have one in York South.

I went out across the province, and I visited 40 counties. Do members know what? Members opposite who said they needed new courthouses in their communities were right. After 40 years the condition of the courthouses in this province is absolutely shocking. It has been said many times. I pledge to this House that we will double, as we have already doubled, the rate at which they are being constructed and the rate at which they are being repaired. My goodness, there is a mountain of work to be accomplished.

Mr. Allen: I think the member is aware there is a Hamilton mountain.

Mr. Speaker: Is that your supplementary?

Mr. Allen: I am pleased to hear that the minister will be addressing that issue.

Within three weeks after the CBC's recent series on this issue, a member of the Ministry of Government Services showed up in Hamilton with the plan to do a little bit of repair on one of the courts. The local community and the legal community were not very amused, because the time has passed for Band-Aids.

Can the Attorney General tell the Hamilton region by what approximate date it can expect an announcement with respect to his response to this particular local mountain?

Hon. Mr. Scott: I cannot answer that question because the survey has not been done. I am conscious of the problem in Hamilton. I have seen it and it is serious, but the member for Nipissing (Mr. Harris) tells me the courthouse situation in North Bay is of crisis proportions. The member for Oxford (Mr. Treleaven), a long-time Conservative, tells me it is calamitous in Woodstock, and he is right. The Conservatives go on and on that they do not have courthouses that are any good in their ridings. I am not going to put members of the New Democratic Party first just because they signed the accord.

VISITOR

Hon. Mr. Scott: Mr. Speaker, on a point of order: Would the members of the Legislature permit me to intrude on their time to introduce to the House one of the great Canadians of our generation, who is in the gallery? I refer to Mr. Justice Emmett Hall.

3:40 p.m.

He is a famous Canadian for at least three reasons. The first is that he was a judge in Saskatchewan for years. He was one of the most distinguished judges in our time in the Supreme Court of Canada for a decade. He was the writer, the draftsman, the signatory of the famous report which founded the Canada Health Act, about

which we have heard so much in this House in the past few weeks and upon which Bill 94 is based. He is the author for the government of Canada—and this is the particularly important point today—of the momentous, monumental and important settlement that was made for the native people of our province at the English and Wabigoon rivers.

Mr. Speaker: I gather the Attorney General had unanimous consent.

PETITION

NATUROPATHY

Ms. Fish: I have a petition signed by approximately 10 residents of the city of Toronto, which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

REPORT BY COMMITTEE

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Breagh from the standing committee on the Legislative Assembly presented a report on appointments in the public sector and moved the adoption of its recommendations.

Mr. Breagh: I want to take a moment today to thank all the people who made presentations to the committee on the appointments process. In particular, I want to thank the members of the committee who went through a long and difficult process to get it to the report stage.

We now have a set of recommendations contained in this report that we think are a viable, workable way to go about making appointments in the public sector. We recognize we are proposing a substantial change from the way things have always been done. It is not a radical thought, but the very thought that appointments in the public sector would have a public process is quite a new thought in Canadian politics. I hope the members will look at the report,

consider it and give us their wise advice about it later. Although the recommendations were difficult, we found that once we got to the acceptance factor of the idea that there would be a public process attached to all these appointments, they flowed rather smoothly.

I point out we have exercised one of the new standing orders, standing order 32(d), which requests that the government make a formal response to this report within 120 days.

On motion by Mr. Breagh, the debate was adjourned.

MOTION

COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on public accounts be authorized to meet in the morning, following routine proceedings and from eight to 10:30 in the evening of Wednesday, July 2, 1986, and following routine proceedings and from eight to 10:30 in the evening of Thursday, July 3, 1986.

Motion agreed to.

INTRODUCTION OF BILLS

INSTITUTE OF CERTIFIED MANAGEMENT CONSULTANTS OF ONTARIO ACT

Mr. McFadden moved first reading of Bill Pr24, An Act to change the name of the Institute of Management Consultants of Ontario to the Institute of Certified Management Consultants of Ontario.

Motion agreed to.

MUNICIPAL AMENDMENT ACT

Mr. Breagh moved first reading of Bill 110, An Act to amend the Municipal Act.

Motion agreed to.

Mr. Breagh: The purpose of the bill is to authorize municipalities to provide retired employees with a range of benefits including health insurance, nursing and dental services, and accident and sickness insurance.

CITY OF BRANTFORD ACT

Mr. Gillies moved first reading of Bill Pr27, An Act respecting the City of Brantford.

Motion agreed to.

CEDARHURST GOLF CLUB ACT

Mr. Stevenson moved first reading of Bill Pr22, An Act to revive the Cedarhurst Golf Club.

Motion agreed to.

ORDERS OF THE DAY

Hon. Mr. Nixon: The member for High Park-Swansea (Mr. Shymko) indicated during members' statements that he was requesting unanimous consent for the House to consider a motion standing in his name, being number 48 in Orders and Notices. I believe there is unanimous consent for a brief consideration of that. As far as we are concerned, we would like to advise the member to call that resolution for a brief consideration at this time.

SOVIET REACTOR

Mr. Shymko: I thank the government House leader and the House leaders of Her Majesty's opposition and the third party for the support they have given to this resolution.

Mr. Shymko moved resolution 48:

That in the opinion of this House, the government of Ontario should urge the government of Canada to take the following urgently needed actions to defend the physical and mental health of people affected by the Chernobyl tragedy:

1. That the United Nations form an international investigative committee of scientists and medical experts to enter Ukraine to assess the extent of danger, both domestic and international;

2. That Canada declare its preparedness to contribute emergency aid, such as medicine, food and technical personnel, to help in treating the Chernobyl disaster victims either in the Union of Soviet Socialist Republics or in our own medical facilities in Canada;

3. That Canada announce an open-door policy for family reunification and sponsorship of immigrants wishing to leave Ukraine; and

4. That the USSR permit more direct communication between Canadians and their relatives or friends in Ukraine.

Mr. Shymko: I would like to thank the member for Oshawa (Mr. Breagh), who initiated this concern under resolution 44. I have somehow expanded on that initiative and that resolution and I thank him for his co-operation.

3:50 p.m.

As of today, three months since that tragedy, 26 individuals have died and approximately 300 individuals are in a very critical state. We have seen a tenfold increase in the tragedy in the past three months. Most likely, the unfortunate victims and the numbers will increase. Close to 100,000 people have been evacuated from the

region and 250,000 children have been evacuated from Kiev.

Notwithstanding the political consequences—internal, domestic and international—to the government of the USSR, on which I do not want to comment, there are now 19 similar graphite reactor plants in the USSR. I believe there is only one elsewhere in the world. My concern is that two such reactors are close to such cities as Leningrad. The reason these reactors have been dismantled outside the USSR is safety; the reason they exist in the USSR, apparently, is that they produce plutonium, which is used in nuclear weapons, in the fastest and cheapest way.

In the light of the initiatives that humanity is taking towards peace and disarmament, it is our hope that the international commission referred to—and we asked Canada to urge the creation of such a commission—will look seriously at the consequences of another such nuclear disaster, which crosses all borders and nations and affects all of humanity.

In the light of this tragedy, we are now giving greater weight to such environmental organizations as Energy Probe and Pollution Probe. We realize the vast importance of these organizations in conveying to our citizens the need to assure the maximum safety precautions in nuclear power plants. I have never appreciated the functioning of these organizations more than I do today. Unfortunately, they do not exist in jurisdictions such as the Soviet Union.

Tourists who have recently returned from the Soviet Union inform me that people who refer to Chernobyl in private or in public and to fears of its consequences—as we are speaking of them in this House—are liable to prosecution under the criminal code for anti-Soviet agitation and propaganda. I have never appreciated more the lobbying for public accountability of such institutions as Ontario Hydro to maximize the safety of our nuclear plants.

Once again, I want to thank members for their support. They must realize that 250,000 children and tens of thousands of other victims will need medical assistance. Some of it can be provided here in Canada. Notwithstanding the problems we may have in assisting, I know this province will make a humanitarian gesture if help and treatment can be provided in its institutions. I thank members for their co-operation to pass unanimously this resolution on this important anniversary.

Mr. Breaugh: I was pleased to accommodate the member for High Park-Swansea (Mr. Shymko) in putting this motion before the House. I

should point out that it is not my motion either. It came from constituents of mine who are of Ukrainian descent and who have friends and family in Ukraine. They are gravely concerned about what is happening to loved ones in a land far away from here. It is very difficult for them even to get what we would consider to be normal information, let alone provide assistance to their relatives in Ukraine.

I took it upon myself to table it in the Legislature just to make members aware. I hoped that what has happened would happen, that someone would pick it up, the House leaders would get together and set aside our business for a few minutes to offer our measure of consideration here. I have taken the liberty of forwarding the resolution to every legislative assembly in the country, because it has brought to my attention that although this is a matter that in a sense is a long way away, in another country which operates under a completely different system, it is in reality here too.

Food in grocery stores in Toronto, on the west coast and on the east coast, has had to be removed from store shelves because of radiation contamination. It is here on our front door as well. We have an obligation to people in Ukraine who do not have the rights and freedoms we have to try to do whatever we can to reach out, to inform them that we care and that we will be prepared to do our part to assist them.

I thank all members for getting this on the agenda for today, for setting aside their business. In particular, I thank the House leaders and the member for High Park-Swansea, who assisted me and were very accommodating in making these arrangements. I hope there will be consent on all sides to pass the resolution this afternoon.

Hon. Mr. Ruprecht: The government supports the resolution by the member for High Park-Swansea and the member for Oshawa.

The Chernobyl disaster brings home to all of us the fact that no country can be considered an island and that we are truly an interdependent world. The concept of Spaceship Earth best brings home to all of us the idea that whatever happens in one part of the world truly affects everyone.

It is obvious we should try to do whatever we can to support the government of the Soviet Union and, directly, the people of Ukraine. I would like it noted that Ontario Hydro is willing, ready and able to supply as much expertise as possible to mitigate the suffering of the Ukrainian people.

Hon. Ms. Munro: I rise to support the resolution, supporting the three colleagues before me and everyone else in the House.

The Chernobyl disaster was a terrible tragedy, and measures must be taken to ensure that nuclear accidents cannot happen again anywhere. All Ontarians, indeed all people everywhere, feel shock and great sympathy for the families of the victims and especially for those survivors who have to face the continuing horrors of having been affected by nuclear fallout.

The member for High Park-Swansea has called on the Legislature to urge the government of Canada to take special action to help those affected. I am sure the federal government will provide whatever assistance—scientific, medical, etc.—may be required.

As far as the open-door policy for family reunification is concerned, immigration is strictly a federal matter, but I know the Ontario government will provide whatever support is necessary to settle newcomers who may come to our province as a result of this tragedy. We are renowned in Ontario for the support systems we have in place for those arriving here from other lands, and it does not matter whether they come as result of war, of this disaster or of free choice.

In Ontario, we have many citizens of Ukrainian descent. I know they are aware, are confident, have come forward and will join with the government to provide help and support for any of their fellow countrymen and women who should come to Ontario.

Motion agreed to.

ORDERS OF THE DAY

MUNICIPAL AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 79, An Act to amend the Municipal Act.

Mr. Partington: I am pleased to continue the debate and to speak in support of Bill 79 and the amendments tabled by the Minister of Municipal Affairs (Mr. Grandmaitre).

As I indicated yesterday, the bill prohibiting bonuses in aid of manufacturing or commercial enterprises continues the prohibition against bonusing that was in the previous section but goes further to describe types of activities that would be considered bonusing and prohibited.

I confirm that the continuation of this policy is in the public interest for the reasons I stated. The limitation on intervention by municipalities in assisting manufacturing or business confirms the general agreement that the business of municipi-

palities is to levy and collect taxes, to plan and rezone the communities and not to interfere with the free enterprise system.

I indicated I would like to trace for a moment the history of bonusing in Ontario. The power to provide bonusing assistance was first provided in this province around 1897 and was continued until 1924.

4 p.m.

Mr. McClellan: Is this a filibuster?

Mr. Partington: No, I am not filibustering. I just want to provide some background to the current legislation. I find it interesting.

The bonuses at that time permitted the promotion of manufacturing and certain general activities in the community and, during the period 1920-24, permitted a very wide range of assistance, including grants, gifts of land, partial exemption for municipal taxation and fixing of assessments.

In 1924, the Bonus Limitation Act was enacted. This permitted bonuses to manufacturing only, and only in the form of fixed assessments.

In 1950, the Bonus Limitation Act was repealed, and its provisions were incorporated into the Municipal Act. In 1961, the Municipal Act was amended to repeal the section permitting fixed assessments; so in 1961, bonuses in general became prohibited.

In 1962, the Municipal Act was amended to prohibit all bonuses to manufacturing businesses or other industrial or commercial enterprises. Of course, the prohibition against bonuses continues to the present time, or was supposed to continue to the present time. That is one of the reasons the amendment to section 112 adds the four clauses which more particularly describe what is a bonus and what is prohibited by the act.

That further definition was needed because there are many examples in the province where municipalities, in an attempt to attract industry or business to their jurisdictions, would hold out what they might not think was a bonus but clearly was. An example is where one municipality, in pursuit of a manufacturer requiring substantial acreage, was alleged to have offered a site for \$1. Certainly the temptation is there to attract industry and business to a jurisdiction to provide jobs for the employees.

As I indicated, the act now is meant to be much more specific. It is basically saying bonuses in any form are again prohibited, although the act goes further and does permit some exceptions, albeit minor exceptions, to that rule.

Today, all municipalities want to play an active role in the economic life of their communities. They want to be seen to encourage the growth of business and to assist new business to locate within their boundaries. We see daily that municipalities now undertake sophisticated advertising and sales campaigns on the desirability of locating in their areas. They talk about the amenities, schools, hospitals, recreation facilities and, often, the serviced land available.

Municipalities employ professional staff. Most of them have industrial development commissioners who meet with industry and, to some degree, travel afield to try to convince businesses with potential to locate in the community. We have known many areas where municipalities will engage in buying and servicing industrial land where the incentive often is not there for a private entrepreneur to acquire the land and service it. The communities will operate seminars and assist businesses in their dealings with government at all levels in an attempt to assist them to obtain federal and provincial grants in the construction of their business.

The question that arises continually is how far municipalities should be permitted to engage in an entrepreneurial role in developing their communities. Many things can be done: They can invest in private business; they can operate the businesses. They can provide tax relief and, of course, establish incubators similar to the Ontario-sponsored enterprise centres. That is one of the provisions in Bill 79, which the minister has introduced.

Subsection 112a(1) of Bill 79 states, "The council of a municipality may provide for the establishment of a counselling service to small businesses." This bill takes one step that is a bit aside from the general prohibition against bonuses or assistance, in saying under the subsection, notwithstanding that a council cannot assist business or industry, the council may set up a counselling service to help fledgling business people to learn the ropes of how to go about starting a business and selling their wares or manufacturing their products for sale.

I believe, as I am sure the minister does, that such activity is in the public good. In doing that, the municipality is not at risk; it is not putting up any money it may lose. It is merely providing a climate to make members of the business community, and particularly new members of that community, feel comfortable in their struggle to establish themselves and to grow.

The act goes on in subsection 112a(2) to indicate that the council may establish programs

"to encourage the establishment and initial growth of small businesses" and "may participate in programs established and administered by the Ministry of Industry, Trade and Technology to encourage the establishment and initial growth of small businesses."

Subsection 112a(4) sets out many steps that councils may take to that end, which include acquiring land and erecting buildings, making grants to a nonprofit corporation which would administer this delivery service to assist small businesses, entering into leases of property and selling or disposing of personal property of the municipality to any eligible small business. That is one thing we will get to a little later.

The minister has indicated this bill is directed to small businesses that might be located in the basement of someone's house, probably operating in contravention of local zoning bylaws. The idea is to encourage these people to get into larger premises and to try to develop their businesses in a businesslike manner. It is something I think every member of this House should encourage, because it provides growth in jobs for us all.

The bill goes on in subsection 112a(6) to say the type of assistance that will be available is assistance with rental property at less than fair market value for a period of 36 months following the day a small business first occupies the property.

The exact wording in subsection 6 was, "Notwithstanding section 112, a lease, disposition of property or use of property or services of employees of the municipality by an eligible small business or a corporation described in clause (4)(d) may be made or provided at less than fair market value."

I had a discussion with the minister and suggested the clause was a little vague and required some clarification. I am pleased to see the minister has moved his third amendment, which adds clarity to that section.

I would like to hear from the minister in his reply in regard to the following. The bill is meant to encourage the growth of small businesses, and I am advised by the minister that a small business means a business resident within the municipality. That eliminates the concern many people have about one municipality attempting to lure business from a municipality nearby, or even distant, although the act does not indicate that.

4:10 p.m.

I have another question I would appreciate being answered by the minister. The bill indicates that personal property of the municipality can be disposed of at less than fair market

value. Perhaps the answer will be included in the regulations, but the question is, how much of a discount and what is the value of the property? For example, can the municipality sell \$10 million worth of personal property for \$2 million? I would like the minister to address that question. I assume, because we are talking about small business, the figures would be in keeping with the size of the business. Perhaps the minister can also make some comment on what is the size of an eligible small business.

Some concern was also expressed by individuals about municipalities having no business being involved in the rental of commercial property; this should be left with private enterprise and, by engaging in that, it is competing with taxpayers in the community. The comment was that they should not be engaged in it at all.

The next comment raised was that even if it is acknowledged that they can engage in such competition, they should be doing it at fair market value and not at less than fair market value. I appreciate the need and the desire of a community, in getting a fledgling business going, perhaps to offer it some encouragement in moving to proper facilities. I appreciate the clause on fair market value and the period of up to 36 months. Perhaps the minister can comment on that.

I support the bill, and it is my position that in getting involved in this type of assistance to an individual or to business, the municipality is not engaging in entrepreneurial activity. It is not risking a financial commitment. The main purpose is to help small business. The purpose of the municipality is not to invest money for profit. That is the difference and that is the reasonable justification for the municipality making this commitment.

I support the bill because it confirms the policy that municipalities should not engage in assisting business or industry by providing bonuses of any kind, and the assistance that is provided encourages the growth of small business. We should all be in favour of the growth of small business.

Finally, I ask the minister to speak on the limitation requirement that the business or industry be located in the community. It is important to assure municipalities that they will not be trying to compete one against the other for the business that is available. Our economic growth tends to be not from attracting new business but from the growth of existing businesses within a community.

I commend the minister for introducing this bill. It attempts to get those individuals who are

trying to become independent businessmen, who perhaps are currently working at one job but do not have their business to a sufficient size to devote full-time attention to it, to get that business going and out of their home.

It reminds me of a case in St. Catharines, a company called McGee Marking Devices; it was formerly Snider Engraved Specialty. The business was started many years ago by a gentleman in his basement, and he worked at it for some time. It was an industrious Donald Snider who owned the company. He was a very industrious and capable individual who was well liked. He was a great sportsman, a professional hockey player. He eventually was able to move that business out of his basement—without government assistance, I might add. Perhaps if assistance had been available at the time, it might have enabled him to move a little faster, and at this point he would have been a little bigger.

He was one of those fortunate individuals who had the talent and the initiative, and with hard work, he was able to take the step on his own. Today his is probably the largest business in the Niagara Peninsula that makes decals, legal seals, stamps and signs, and a whole array of labelling devices for our economy. That is an example of what can happen when we encourage people to move from a startup job into full-time operation.

I am sure this bill will do it. It is in the best interests of the people of Ontario. I am pleased to support the bill.

Mr. Sterling: I would like to participate briefly in the debate to bring to the discussion an aspect that perhaps was not experienced by some of the previous speakers on this matter.

I am fortunate enough to have in my riding an enterprise or incubation centre in the city of Kanata. The city of Kanata put forward a proposal some time ago through its business association and was successful about a year and a half ago in getting approval for an enterprise centre.

In looking over the documentation from the ministry, I noticed that, generally speaking, the kind of community that was receiving this kind of assistance was not very large municipalities, but they were not small municipalities either. I look to places such as Brantford, the Kitchener area or the Cambridge area and even the Kanata area. While I wish them well in each and every one of those centres, I also know that things right now are booming pretty well in Cambridge and in Brantford, notwithstanding the problems they had in that municipality some time ago. The city of Kanata is now feeling a little bit of pain, but

the minister should know they are selling industrial lots in the industrial park in Kanata quite readily at this time.

I want to contrast that situation with municipalities that are not doing as well. I guess the fortunate thing of the structure of my constituency of Carleton-Grenville is that I have seen high technology in terms of Kanata, a very progressive municipality that has grown at a very rapid pace in the past and continues to grow at a very rapid pace, compared to a town such as Prescott in the southern part of my riding, some 60 miles away on the northern shore of the St. Lawrence, which has stayed virtually the same size since the end of the construction of the St. Lawrence Seaway, at a population of about 5,000 people.

4:20 p.m.

What worries me is the apparent pickup of the program by municipalities that can afford to be in the program and the apparent lack of pickup of the program by municipalities that probably need it more than those that already have it. I think it is a good idea. As the member for Brock (Mr. Partington) has put it so well, the idea of encouraging a fellow to be able to progress the next step up from his basement into larger premises with some of the kind of assistance he might need to make his business successful is very worth while. But in these kinds of programs, we have to be cautious that the areas where we need the few innovators who might be ready to expand into larger premises have that opportunity.

Therefore, I hope that when the minister is summing up the discussion of second reading of the bill, he will outline to the Legislature the various levels of assistance in going into the incubator model. I realize this is a permissive piece of legislation, and perhaps the Ministry of Industry, Trade and Technology would be more appropriate for making those kinds of suggestions or comments. However, by having the permission in this legislation, the other is going to happen.

It is sort of a two-stage thing, and the second stage is probably almost more important than the initial stage. This is permissive. The second stage will impact to a greater degree than this piece of legislation will: the program the government puts forward so that small municipalities such as Prescott, or any other municipality in Ontario with a high unemployment rate that is having difficulty attracting industry, will be put on an equal footing with the larger and more sophisticated municipalities that have the money and the expertise to take up on a program that is

being offered by the Ministry of Industry, Trade and Technology.

It is also important to pay heed to the comments by my friend the member for Brock about the definition of a resident industry or a resident business so we can be sure that those who have been able to take up on the program—those who are, let us say, richer than those who do not have the assets and the wherewithal to put this kind of program together—are not penalized by a neighbour who is doing a little bit better than they are in terms of a municipal structure or a municipality. Let us not let the rich get richer at the cost of the areas where unemployment rates are higher than in the municipalities that are taking up on the programs.

There is another problem. I do not know whether it was raised by my friend the member for Cambridge (Mr. Barlow). He indicated that one may participate in these programs, but it is not a right to participate in them; therefore, a program can be put out by the Ministry of Industry, Trade and Technology. I hope he will make some comments about how the priority will be picked from the various applicants as to who gets first crack at a particular program.

Going back to my initial comments about how the programs should be set up, I hope that, in terms of amounts of money that would be given over to a smaller, less sophisticated and poorer municipality, the priority would be based on the unemployment rates in Ontario, the industrial activity in the area and other economic factors.

I believe the program in the enterprise centres is very rich in terms of provincial government funding. I would invite the minister's comments—or perhaps he would attempt to get them from the Minister of Industry, Trade and Technology (Mr. O'Neil)—on whether his government would be willing to have a scale of rates of how much would be available to various municipalities based on economic factors in the area.

If a municipality is "doing very well, thank you" and does not have a high unemployment rate, if there seems to be a lot of activity in the area and a lot of commercial space already available in the private sector, if there are all those factors, I believe the support for that kind of community should be less than for a community that has a lot of problems attracting, maintaining and scoring employment opportunities in its area.

We know there are pockets of such communities not only in eastern Ontario, of which the minister would be very much aware because of the location of his riding, his not being far from

mine in eastern Ontario, but I imagine that would also be the situation in northern Ontario.

I would also like to say that I would hope his government, in considering pieces of legislation such as this one, would consider other kinds of programs that would assist industries to locate in areas where we would like to have them, where the unemployment rate is high and where there is constant migration of the younger people from those communities.

We have had a very successful industrial parks program, which our government instituted, but during the past few years we were starting to consider whether that program could continue to exist in larger municipalities where there was sufficient industrial land in the private sector and municipalities were continuing to develop industrial land on their own for the industrial parks program. Because they give significant financial benefit to the eventual purchaser of that land, those kinds of programs should be pointed towards the smaller municipalities and municipalities that do not have industrial land available and where they cannot get a private developer to service land because the prospects are not that great.

4:30 p.m.

The minister may also want to talk over with his colleagues an idea I had heard of—actually, it came out of West Germany—whereby when a government industrial complex of some magnitude is created, there is some requirement for a component to deal with day care. In a small way, an enterprise centre is an industrial development that is basically being sponsored by a municipality. My feeling is that when government gets involved in an industrial development program, the quid pro quo, the balance-off, should be some kind of social service to assist the provincial government and the taxpayers of Ontario in the long range to deal with the very serious problem of providing adequate day care for those who work in that complex. I hope—and I am just throwing this out—that when the government is considering future legislation dealing with industrial development opportunities and programs, it will consider asking, as a condition of financing these kinds of arrangements, that they provide that kind of social service.

I do not know how the minister is going to deal with the complaint if someone from a competing service sector comes forward to the government and says: “You have helped my competition to get established. That is fine for my competition, but how is it going to affect my business?” If we allow this individual to get into the market and

give him lower-than-market rent, how are we going to explain the equity in this situation to the existing businesses?

I do not know whether the minister has addressed this or whether he has an answer to it, but I would appreciate his considering that. Perhaps when he responds, he can give me some kind of answer. As an MPP, I know that when any government program is introduced, this is the kind of question that will get thrown back on us. Because Kanata is involved in this kind of program, I would like to understand what answer I am supposed to give to the service sector, which will come forward and ask that question.

The legislation indicates there is some discretion on the part of the government to allow a municipality to enter into this program or not. Will the minister share with us the criteria that are being developed and table in the Legislature the qualifications a municipality must have to qualify for the program? It is important for everyone to know what the rules are and to have those policy statements in a concrete form so MPPs such as me can go to their smaller municipalities, where they do not have the expertise and where I am required to take on a larger role in this matter, and tell them how they can get involved in this program and tell the chamber of commerce how it can get involved, what they must put up and what the government will put up. I realize this legislation covers both. If the minister cannot provide all that information to me, I will defer to his promise to get it for me.

My colleagues in our caucus have indicated we will support this legislation. Frankly, I look forward to other initiatives on the part of this government—new initiatives, because this initiative really has evolved from an idea of the last government in terms of the enterprise centres. It is cleaning up the legalities of putting the enterprise centres in place and allowing municipalities to participate in them. I will therefore give the minister my full support and wish him a safe trip home to Ottawa this afternoon.

Hon. Mr. Grandmaître: I thank the member for Oshawa (Mr. Breaugh), the member for Brock and the member for Carleton-Grenville (Mr. Sterling) for their understanding of the amendment and of this new program. I will try briefly to answer some of their questions.

Perhaps I can start with the member for Carleton-Grenville. He talked about Kanata and smaller municipalities having the opportunity to get involved in such a program. The amendments brought forward to section 112 of the Municipal Act will provide a smaller municipality with the

opportunity, not to be competitive with its next-door municipality but to be on at least the same level as its next-door municipality.

This is a pilot project. Three municipalities have successfully competed. Out of 17 proposals, three municipalities were chosen. I hope, after reviewing the program three years from now or before the three years have come to an end, we will be forced to provide more dollars and expand the program.

The intention of the amendment brought to the Municipal Act is to make it clearer to municipalities that they can be competitive but also that they have limitations. These limitations or exceptions will be provided in the three amendments. It is about time this level of government recognized the importance of the participation of local municipalities not only in competing for business. They are our greatest source of job creators, and I think they should be encouraged to do more.

I was asked the definition of a small business, and all these definitions will be part of the regulations. We are trying to encourage local business people not only to expand their present businesses but also to create new employment centres. The local residency clause is part of the regulations.

I can wind up by saying it is a pilot project and I hope I will have to come back to provide municipalities with more incentives to become better job creators sooner than three years from now.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

MUNICIPAL AMENDMENT ACT

Consideration of Bill 79, An Act to amend the Municipal Act.

On section 1:

Mr. Chairman: Mr. Grandmaître moves that section 112 of the act, as set out in section 1 of the bill, be amended by adding thereto the following subsection:

"(2) Subsection (1) does not apply to a council that is exercising any of its power or authority under subsection 28(6) or (7) of the Planning Act, 1983 where the power or authority is exercised with the approval of the minister."

4:40 p.m.

Hon. Mr. Grandmaître: I have another amendment—

Mr. Breagh: Can we vote on this before the minister puts another one?

Hon. Mr. Grandmaître: Why not?

Mr. Barlow: Why not move all the amendments?

Hon. Mr. Grandmaître: All three amendments?

Mr. Chairman: Will the minister please speak on the first amendment?

Hon. Mr. Grandmaître: I have no comments on the first amendment.

Mr. Barlow: This is not on the amendment, but it is on section 112. I asked yesterday about the resolution passed by the Cambridge city council, asking for a definition of the words "levy, charge or fee" in subsection 112(d). The concern was that the council not long ago passed a bylaw or resolution that would allow multiple-family residential projects in and around the core area that could become exempt from unit levies or impost charges. That is why they were wondering and wanting clarification and perhaps even a definition of what the "levy, charge or fee" might mean. I wonder whether the minister has any comments on that before we deal with this amendment.

Mr. Breagh: On a point of order, Mr. Chairman: I do not mean to intervene, but when a member starts by saying "not on the amendment," that ought to be a clue he is out of order. We are dealing with an amendment.

Mr. Barlow: I am on the right section. This amendment got in before I had a chance to speak. I had asked for clarification on this yesterday when I spoke on the bill.

Mr. Chairman: Order. Minister, do you wish to respond to that, if it is on the amendment or close to it?

Hon. Mr. Grandmaître: As my friend knows, municipalities can charge a levy or fee. The words "exemption from any levy, charge or fee" are an example that it is prohibited by municipalities.

Mr. Partington: I have one question for clarification. I appreciate the minister put in the amendment to allay any suggestion there may be a conflict between the section of the Planning Act and the bill, but it seems to me the thrust of subsections 28(6) and (7) of the act concerns community improvement plans, whereas section 112 is where grants or assistance are made for the purpose of assisting business or industry.

Can the minister comment on whether, without the amendment, the act would be in conflict with the section of the Planning Act?

Hon. Mr. Grandmaître: I do not have a copy of the Planning Act. Did the member say section 128?

Mr. Partington: Subsections 28(6) and (7). I am not opposing the amendment; I just wondered whether the minister had any comments on this.

Hon. Mr. Grandmaître: No, I do not, for the simple reason that I do not have a copy of the Planning Act in front of me. However, I am assured by our legal people that there is no conflict.

Motion agreed to.

Mr. Chairman: There is a further amendment.

Hon. Mr. Grandmaître: I have another amendment.

I move that subsection 112a(6) of the act, as set out in section 1 of the bill, be struck out and the following substituted therefor—

Mr. Breagh: On a point of order, Mr. Chairman: The minister is reading the wrong amendment. He has an amendment amending subsection 112a(4) of the act that he probably wants to put before he puts the amendment on subsection 112a(6).

Mr. Chairman: The one that starts at the top, "Section 1, subsection 112a(4)."

Mr. Breagh: While we are waiting, I have some difficulty in moving motions, chairing the session and being an opposition critic, and I would appreciate a little help here. Maybe the minister could play his role. That would assist me somewhat.

Mr. Chairman: Mr. Grandmaître moves that subsection 112a(4) of the act, as set out in section 1 of the bill, be amended by striking out "and" at the end of clause (f) and by adding thereto the following clauses:

"(h) may appoint one or more of the directors of a corporation described in clause (d); and

"(i) may apply under the Corporations Act for letters incorporating a corporation described in clause (d) having such objects and powers as may be approved by the minister."

Motion agreed to.

Mr. Chairman: Mr. Grandmaître moves that subsection 112a(6) of the act as set out in section 1 of the bill be struck out and the following substituted therefor:

"(6) Notwithstanding section 112,

"(a) a lease of real property under clause 4(c) or (d) or subsection 5,

"(b) a sale, lease or other disposition of personal property under clause 4(e); or

"(c) the use of personal property or services of employees of the municipality pursuant to clauses 4(e) and (f) may be made or provided for at less than fair market value but this subsection ceases to apply to an eligible small business at the end of 36 months following the day it first occupies premises leased to it under this section."

Motion agreed to.

Mr. Partington: This is a question I raised earlier. Under clause 112a(6)(b), a sale, lease or other disposition of personal property under clause 4(e) may be made within 36 months. A sale or lease is, of course, an ultimate disposition. Can the minister advise at this time what type of personal property, the magnitude of that, how much, and what sort of a discount he has in mind?

Of course, the sale can be to an eligible small business. He has indicated it is going to be in the regulations, but can he provide us with a more complete definition of what an eligible small business is?

Hon. Mr. Grandmaître: As I said previously, a small business is described in the regulations. Also, we respect the guidelines of the Ministry of Industry, Trade and Technology; as we know, one has to apply to that ministry, and we use the very same definitions or regulations as MITT would.

4:50 p.m.

Mr. Partington: I have one more question. I accept that answer with respect to eligible small businesses, but there is the question of selling personal property. What are the guidelines with respect to that? Dollar value?

Hon. Mr. Grandmaître: In the regulations, we do mention a total dollar value. It could be on a number of businesses, but there is attached to these dealings a total number of dollars; they are included in the regulations.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Grandmaître, the committee of the whole House reported one bill with certain amendments.

ENGLISH AND WABIGOON RIVER SYSTEMS MERCURY CONTAMINATION SETTLEMENT AGREEMENT ACT

Hon. Mr. Scott moved second reading of Bill 76, An Act to implement the Terms of a

Settlement of all Claims arising out of the Contamination by Mercury and other Pollutants of the English and Wabigoon and Related River Systems.

Hon. Mr. Scott: It is a pleasure to take almost the ultimate step in the final settlement of this difficult matter. I have already noted the presence in the gallery of Mr. Justice Hall, who was the federal negotiator in this matter, and I note the presence on the opposition benches of the member for Kenora (Mr. Bernier), who has some familiarity with the issues in dispute.

As honourable members know from the statement when the bill was introduced and the compendium that is before them, an agreement has been achieved in which the two governments will pay a substantial sum of moneys to the native people under the agreement.

One of the provisions of the agreement calls for the establishment of a board to provide compensation to those whose lives have been affected by the prospect of mercury pollution damage. The board will make determinations, and a fund has been established of some \$2 million, \$1 million contributed by each of the bands out of the proceeds of the settlement.

I will deal with the major features of the bill very briefly. First of all, as I said, a fund has been established in the total sum of \$2 million, plus accrued interest. The money has already been paid in escrow and will be paid out when the act here and the federal act are passed.

Once the fund is established, applicants will apply to the fund and will be successful if they are able to demonstrate both exposure to mercury and neurological conditions consistent with mercury poisoning. The members of the third party in particular, who I hope are listening, will be interested in the phrase "conditions consistent with mercury pollution," because that will separate out and not compel the board to deal with the kind of difficult issues that sometimes confront the Workers' Compensation Board.

The fund will make monthly payments in appropriate cases, ranging between \$250 and \$800 a month. The board, which is called the Grassy Narrows and Islington Bands Mercury Disability Board, is composed of some seven members: a chairman, two band representatives, two physicians and two other persons who will be appointed by a search committee composed of appointees from each of the bands and the Ontario and federal governments. The administrative costs of the board will be borne equally by the governments and the two bands.

The fund will be terminated by the board when a period of three consecutive years passes without the making of a fresh award from the fund but not, however, in any event before January 1, 2001. When the fund is terminated, the administrator will purchase a life annuity for every applicant in receipt of an award. The administrator will then repay Ontario for any advances that were paid to the fund to maintain the fund at a level of not more than \$100,000, as provided for in the settlement. The administrator is then to pay any remaining balance to the two bands in equal amounts.

Lastly, in consideration of the benefits conferred by the terms of the settlement, all existing and future rights of action of the bands and their past, present or future members in respect of claims and causes of action that are the subject of a settlement are abolished.

I wish to make the point that the bill has a certain emergency because the funds are being held in escrow and cannot be released until the bill is passed. The second point is that, as I understand it, the federal government has already passed its companion piece.

The third point to be made is that the bill, because it flows from the memorandum of settlement, is in a sense a negotiated bill; that is to say, all parties to the settlement have negotiated with some finesse the language of the bill and have approved it in its present form. I am obliged to tell the House, although of course it does not affect the House's right to act, that any amendment to the bill may present significant difficulties in so far as the parties are concerned.

The last thing I would like to note is to congratulate all, and not least the negotiators for the bands and the other parties, who in the end, after a very long time, have made this important settlement possible.

Mr. Wildman: Too long.

Hon. Mr. Scott: Too long, perhaps.

As I say, Mr. Justice Hall is present, and his contribution was very great.

I plead to a modest conflict of interest in this case, because when I was in the practice of law, I had occasion to issue the writ against the government of Ontario that started this litigation. I probably named the member for Kenora in it. That action came to nothing, but it perhaps played a small part in launching the negotiations which today are so close to their ultimate conclusion.

I earnestly invite the House to join in supporting this bill.

5 p.m.

Mr. Bernier: I am very pleased to be able to add some comment to the consideration of Bill 76 as we move towards its passing and, of course, ratifying the agreement that has been reached between the government of Ontario, the government of Canada, Reed Paper, Great Lakes Forest Products, the Islington Indian Band and the Grassy Narrows Indian Band.

I want to join the Attorney General (Mr. Scott) in recognizing in the Speaker's gallery Chief Justice Emmett Hall, who played a major role in achieving an agreement in this very complex situation.

I also want to recognize counsel for Islington Indian band, Glenn Sigurdson, who is with Chief Justice Emmett Hall in the gallery. Mr. Sigurdson is with the firm of Taylor Brazzell McCaffrey, barristers and solicitors in Winnipeg. Both of these gentlemen played a major part in achieving this settlement.

I must admit at the outset that in my 20 years as a member of this House as the representative of the great Kenora riding, this issue has been a most difficult and frustrating one for me. It is truly a human issue; it is a health issue and certainly a social issue.

From my own involvement with this matter, I know the agreement was difficult to arrive at, and I commend the Attorney General for his efforts in bringing this problem to a conclusion. After more than a decade of talks, I am glad that a settlement has been reached.

Along with the hardships that many Canadian Indian tribes have endured, such as the loss of faith and community ties, and the forced abandonment of traditions, territory and self-determination, the Grassy Narrows and Islington bands have had their river systems, their source of food and livelihood, contaminated with mercury.

The impact of the mercury contamination has been far-reaching. Commercial fishing was banned, tourist guiding opportunities dropped sharply, a primary staple food source was made unfit, the community's social fabric was ravaged and violence, alcoholism, welfare use and social breakdown increased sharply.

I realize the proposed settlement hardly compensates for the hardship and despair that has been suffered by the bands for the past 16 years, but it is my hope it will encourage the rebuilding of morale in their communities and the creation of a secure and stable future for the people who have lost so much of their past.

There will be no delay from me or from members of our party in passing this bill. We regret it has taken so long to reach this agreement, and we want this settlement to be ratified and put into effect very quickly. Our party's critic on native affairs, the member for High Park-Swansea (Mr. Shymko), will be making a significant and specific contribution, which will again encourage an early passage of this bill.

I am glad to see the government has carried out a task that was initiated by my party when in government. The previous administration was actively involved for more than 10 years in assisting both bands to recover from the economic and social problems that have plagued their communities.

As long ago as 1978, the governments of Ontario and Canada signed a memorandum of understanding with both bands to develop social and resource-based programs, to assist in the restoration of the economic base of these communities, which had been affected adversely by a number of social and environmental problems, including the contamination of the English and Wabigoon river systems.

As part of the understanding, we were successful in getting Reed Paper, which then was the owner of the Dryden paper mill, and Ontario Hydro to agree that each would begin negotiations with the bands to work out appropriate settlements to compensate for the environmental damage caused to the reserves by their organizations.

The agreement by Reed Paper to negotiate a compensation agreement with the bands was assumed by Great Lakes Forest Products at the time of its purchase of Reed's assets in the Dryden mill in 1979.

Much of the credit for this agreement must go to my colleague the member for Muskoka (Mr. F. S. Miller), at that time Treasurer of Ontario, who facilitated the sale of the Dryden mill to Great Lakes by offering—

Mr. McClellan: The member for Kenora should not press his luck.

Mr. Bernier: The member does not know a thing about it. He was not even involved. I can tell him that, whoever is speaking.

Mr. McClellan: I was speaking. I was here from 1975 when the former government stonewalled and stonewalled.

Mr. Speaker: Order.

Mr. Bernier: The member does not know a thing that was going on. He was not even involved.

Mr. McClellan: I know the roles of this member and the member for Muskoka, and they are nothing to boast about.

Mr. Bernier: He facilitated the sale of the Dryden mill to Great Lakes.

Mr. Wildman: Broken-down freezers and rotten fish.

Mr. Bernier: Yes, and who aggravated the situation if it was not the leader of the New Democratic Party, who went up there to stir up all the trouble? Does the member remember the freezers?

Mr. McClellan: I remember them well.

Mr. Speaker: Order. Will the member for Kenora take his seat? There will be time after the debate for comments and questions.

Mr. Bernier: I was pointing out that it was the member for Muskoka who facilitated the sale of the Dryden mill to Great Lakes by offering to cover liabilities of over \$15 million resulting from the pollution of the English and Wabigoon river systems from the Dryden paper mill. This was believed to have been in the best interests of all concerned.

In 1983, the member for Cochrane South (Mr. Pope), then Minister of Natural Resources, negotiated a settlement in principle with the Whitedog band and Ontario Hydro. This settlement resulted from the flooding of homes and burial grounds because of a dam built in the 1950s. The agreement was ratified by the band in December 1985. We attempted to conclude a similar agreement with the Grassy Narrows band. With respect to the band's negotiations with Great Lakes, we made a number of interventions to try to facilitate a successful conclusion.

On learning in 1982 that the parties had reached an impasse over the company's requirement that any settlement be conditional on full release by the bands of any future claims for both health and environmental damage, Russ Ramsay, the then minister responsible for native affairs, provided a letter to Great Lakes clarifying that under the Ontario indemnification commitment, the province would assume responsibility for any damages after \$15 million had been paid by the company. Such claims would include personal injury, property damage and economic claims. It was our understanding that this assurance by Ontario would result in the resumption of negotiations between the bands and Great Lakes. Unfortunately, this was not the case.

At the request of the bands in 1984, we appointed a legal representative to work with the lawyers representing the bands and Great Lakes to facilitate the development of a compensation agreement acceptable to the bands. The Provincial Secretary for Resources Development at that time made a wise selection in appointing Peter Jacobsen for the task. I understand he was instrumental in assisting the parties to reach this equitable settlement, and I commend him for his fine efforts.

At that time, we encouraged the federal government to make a similar appointment. Hence, we welcomed its appointment early in 1985 of Chief Justice Emmett Hall, a great Canadian with a great reputation, to assist with the negotiation process. I know he was also a major contributor in arriving at this settlement, and I was pleased to spend some time with Chief Justice Hall personally discussing this very issue just about a year ago.

Supporting the proposed settlement is the least we can do for those people, who have suffered so much upheaval and disruption. I know the settlement was not designed with the idea that it could totally compensate for all the damage done to these communities, but I believe it provides them with opportunities to begin to reinvest in their future by encouraging new development, new industry and new employment opportunities. The spirit and enthusiasm of these people is astounding, considering what they have been through.

I was pleased to hear of their plans to enter the tourist business, establish a wild rice harvesting plant and a garment factory, and improve transportation between the reserves and Kenora. I am glad we can be of assistance, even in a small way, in seeing these plans through. This settlement is one way in which we can help the natives of the Grassy Narrows and Whitedog reserves to regain a sense of direction and self-worth.

Such a tragedy can never be allowed to happen again. I hope it has taught us how important it is for a good relationship to exist between a community and its industries. It is only by a partnership based on understanding and awareness that this type of tragedy can be avoided in the future.

The patience and understanding of the numerous chiefs who led the people of their respective bands through these long and sensitive negotiations must be recognized, and they must be thanked publicly today. They are Chief Tony Henry of the Whitedog band and Chief Steve

Fobister of the Grassy Narrows band. We must also recognize former Chief Roy McDonald and former Chief Isaac Mandamin of Whitedog, and Arnold Pelly, Tom Keesick and Simon Fobister, former chiefs of the Grassy Narrows band.

5:10 p.m.

In conclusion, I want to point out that I have monitored the health testing carefully and to my knowledge no person demonstrated clinical or laboratory evidence of mercury poisoning. I hope and pray that no evidence is ever found in any band member in the future.

I am pleased to offer my party's support for the bill that is before us today. We may now finally close the book dealing with that chapter of the history of the Grassy Narrows and the Whitedog Indian reserves.

Mr. Wildman: I refrained from commenting on the contribution of the previous speaker because I believe this is a time for serious reflection on how an advanced industrialized society, such as ours, can inflict harm on a more traditional way of life.

I wonder whether any of us in this House would agree that the establishing of a fund can in some way assist the victims of health defects resulting from this kind of pollution and degradation of the environment and whether it responds in any way adequately to what is a major tragedy for two communities.

I want to add my congratulations to the courageous people of Whitedog and Grassy Narrows for the way they have endured over the past number of years since the initial impacts of mercury pollution were detected and for the way they have fought for what they believe to be a just settlement in the face of serious and concerted opposition from both the private sector and the public sector.

We all recognize this environmental tragedy is far more than what we normally term to be environmental; in fact, it affected a whole way of life. The previous speaker indicated the effects of mercury in the English and Wabigoon river systems brought an end to commercial fishing and harmed the tourist industry to the extent that those Indian people who had been traditionally employed as guides in that industry were all put out of work; but it is far wider and far greater in its effects than that.

If one destroys the whole economic fibre of a community, it cannot but also affect the social fibre. We have to look at the effects this process has had on the family life and on the community life of these two bands to understand how courageous their leadership and the ordinary

members of the band have been to be able finally to bring about this settlement.

I congratulate the governments of this province and of Canada, as well as the bands for their part in finally bringing about a resolution, for bringing Reed Paper and Great Lakes Forest Products to understand they owe a debt to the people of Whitedog and Grassy Narrows. I want to recognize too the role of the various negotiators who worked for the bands and for both levels of government in this process. We have heard tributes today to Chief Justice Hall, and I think we all owe him a great debt for his efforts.

The question this bill raises is, why did it take so long? I want to emphasize that I am not looking in hindsight when I ask that question. Mr. Speaker, you will know that question has been asked repeatedly in this House since 1975. We have had a succession of ministers who have responded in such inadequate ways as to be beyond description.

Today, approximately a year after a change of government, we have a settlement. I recognize that prior to the change of government, efforts were being made by both levels of government in conjunction with the bands to resolve this matter once and for all. However, we should understand this problem was first understood in the early 1970s by the people of the communities and by members of the general public, but it took many years for that understanding to be accepted by either the governments involved or, certainly, the private companies involved.

We have heard repeatedly in this House, and we heard it today again, "There were no actual symptoms of Minamata disease, mercury poisoning." Frankly, I am surprised we would hear that repeated during this debate, and I will respond in this manner: To have it suggested that my former leader, the former member for Scarborough West, Stephen Lewis, somehow exacerbated this situation by raising the matter in the House is despicable. If it had not been for Stephen Lewis, this matter would not have been publicized beyond the northwest. Too often, problems in the north remain problems in the north. They are not understood or appreciated by people who live south of the French River. It is unforgivable that it should be a Metro member who, as leader of a party in this House, is the one who has to raise this matter in this House, rather than the members from the area that is affected.

All of us recognize that it was not Stephen Lewis, even in his untiring efforts, who made it possible for us to reach a settlement. It was the chiefs, the councillors, the elders and the band

members themselves who had the stamina to deal with the stonewalling they experienced at every level for far too many years.

5:20 p.m.

As I was preparing for this debate, I thought of the number of times members of the Legislature had raised this matter, the number of times we had met with chiefs, councillors and negotiators and the problems we had discussed. I came to the conclusion that there was no way I could adequately describe the experience.

I thought of the succession of ministers with whom we dealt: the member for Kenora; the previous member for Cochrane North, René Brunelle; the previous member for Lambton; the previous member for Sault Ste. Marie, and in the late days, the member for Carleton-Grenville (Mr. Sterling) and subsequently the member for Muskoka and the member for Cochrane South.

It was not easy to remain even-tempered in this whole process, even for me, who is known to be very temperate and mild. However, I wonder how the members of the bands were able to remain so reasonable—I am not sure whether that is an adequate word—that they would accept even this agreement.

I can remember statements at one point to the effect that there was no evidence the company was polluting.

Mr. McClellan: That was after.

Mr. Wildman: Yes. That was five years after.

I can remember statements that when the assets changed hands, the new company somehow did not have any responsibility for what had happened before. I can remember statements to the effect that the provincial government was prepared to cover the cost of compensation over and above a certain figure if the private sector would cover the lesser amount, as if that was a great concession on the part of the government of this province. I can remember discussions about greenhouses and wild rice.

Mr. Mancini: I am interested in the greenhouses.

Mr. Wildman: I do not think it is necessary for me to go into a long description of what the previous member for Lambton felt was a justifiable approach to dealing with the economic base of the community involved. Suffice it to say I believe it was that member, when he was the minister responsible for native affairs under the Conservative government—I think he was called the Provincial Secretary for Resources Development at that time—who indicated that Indian

people were “the children of the federal government.”

Can one imagine, as late as the 1970s, having a responsible minister of the crown refer to the Indian people of this province as children? That very attitude explains one of the reasons it took so long to get that government to move. To have a person with that kind of approach, that patronizing attitude, involved in the negotiations of such a delicate problem doomed it from the beginning.

I can remember the suggestion being made in this House that perhaps the harvesting of wild rice should be reserved for the Indian people of the northwest and the response being: “We cannot do that. They will not do the job. They will not harvest all the rice. They will waste a lot. They may not get out to do it. It is just not practical and it is not ensuring a proper end use.” Of course, those kinds of arguments ignored the fact that the fluctuating water levels in the area made it very difficult to have a decent crop of wild rice on many occasions.

To refer to the question of wild rice again leads me to the name Stephen Lewis. If there was ever a champion of the Indian people’s right to determine their own destiny and develop their own economy, it was the former member for Scarborough West. We all know the kind of contribution he has gone on to make on behalf of this country in international forums. If we all owe a debt to anyone for raising and dramatizing the issue before the public and the media of this province, for co-operating in the strenuous efforts of the chiefs and councils to bring this matter before the public, for ensuring that the private sector companies responsible for the pollution made restitution and compensation, and for ensuring that the public sector played a role in bringing about a resolution of the problem, we owe it to Stephen Lewis.

I suppose I should welcome the statements made by the member for Kenora in response to the introduction of this bill for second reading. I welcome the fact that he says on his behalf of his party that it does not intend to slow down the passage of this legislation. They do not intend to hold it up. It is 1986. Where were those comments in 1976? By God, they had better not hold up this legislation, because they have held up a resolution of this problem for the past 16 years.

I do not think we can ever pay back properly the debt we owe the people of the Whitedog and Grassy Narrows bands. I do not think we as a society can ever give proper recognition of the economic, social and health problems that have

resulted from the destruction of their way of life, economic base and social structure. This bill goes some way. It certainly recognizes that we owe a debt. It implements an agreement that has been accepted by the bands and makes it possible for the provincial government to participate in the Grassy Narrows and Islington Bands mercury disability fund.

5:30 p.m.

All of us recognize that money, no matter how well-intentioned, cannot rebuild a society and cannot put lives back together again. This fund and this bill will not do it. What will do it is the bands continuing to work as hard as they have in the past to develop an economic base and a social structure that will serve the band members, and the political will of this Legislature to do everything we can to assist and to facilitate the rebuilding of those communities.

For too many years that political will was missing. I trust we will begin today to ensure that this rebuilding process will be successful and that we have the will to make it happen.

Mr. Bernier: As I said in my remarks, it is our desire to move this bill through as quickly as possible. Therefore, I will refrain from responding to some of the very silly and provocative comments of the member for Algoma (Mr. Wildman).

Mr. Wildman: I thank the member for Kenora for his comments. I trust he is sincere in his desire to resolve the problem and to ensure that this bill passes quickly. I stand by the comments I made. The record is there; I do not have to point it out. I could have gone through long recitations from Hansard but I do not think that is necessary. All the people involved, all the people of the province, know the record.

I suppose this is not a time for us to look back, other than to understand what we owe as a result of the problems, the difficulties, the mistakes of the past. It is a time to look forward, to go forward with the bands in support of their efforts, because they are the people who will decide their future, and to ensure that anything we can do and should do to assist them in their efforts is done.

Mr. Shymko: I join in this debate as someone who was elected in 1981 and who did not witness the emotional nature of the very sincere remarks of concerned members of this Legislature trying to provide a settlement to a tragic situation that had existed far too long. I have a great deal of respect for the member for Algoma and note, at times, an emotional aspect to his remarks. I do not doubt his sincerity, as I hope members will

not doubt the sincerity of the member for Kenora in being pleased with the speed with which we are trying to resolve the tragic circumstances that have affected our natives.

I also want to compliment all members of the Legislature. I join the member for Algoma—and I am sure the member for Kenora will agree, notwithstanding personal criticisms we may hear and allegations of non-co-operation or whatever—in recognizing that the former member for Scarborough West, Stephen Lewis, made a major contribution in informing our citizens, and especially the members of this Legislature, of the crying need to settle this very urgent problem.

I know the action was set, perhaps with greater speed, following the recommendations of the royal commission under Mr. Justice Patrick Hartt in 1978, three years before I was elected. In addition, the involvement of our guest today in the members' side of our chamber, Mr. Justice Hall, appointed in 1984 as the federal negotiator, had a major contribution in the announcement we heard in November and in what is happening today.

I do not want in any way, because of the fact that I was not present for all of these years, to comment on the reasons this dragged, but it is unforgivable and there is no excuse for that.

It is ironic that it takes such a tragedy and so many victims to provide moneys to advance the social and economic development of two Indian bands. I hope that some day the millions of dollars that are being provided now to both the Islington Indian band and the Grassy Narrows band could be provided to all our bands in Ontario for economic and social development to alleviate the plight and the tragedies we see today in the living conditions of a trapped population; trapped because of historical circumstances, trapped perhaps because of governments sometimes not addressing their needs or, if addressing them, addressing them in patronizing ways.

I look at the sincere concerns we have for people in other parts of the world and I wonder why, before preaching to others, we do not clean up our own house, especially in our dealings with our natives.

As I indicated when the bill was introduced, we have the co-operation of everyone on this side of the House. I indicated that on June 11. I do not want the remarks I will be making and the concern I will be expressing to be interpreted in any way as opening the door to complications.

My concern relates to section 21 of the bill, which I may address later as we go through the sections. It addresses one aspect; namely, that

the decision of the board in allocating the compensation to the victims of mercury poisoning is final and binding, it is not subject to any review and, subject to this act, shall be given effect by the administrator.

The concern I have with this may be in the form of a question that I will be asking the Attorney General. I have spoken to him previously and I understand the nature of this bill, which can be described as a vehicle to a negotiated agreement, a negotiated agreement which took 16 years.

5:40 p.m.

Notwithstanding that this is a vehicle to implement that agreement, we should guarantee in a maximum way that the victims of mercury poisoning will be given the maximum protection this agreement should deliver in compensation.

We are all fallible human beings and the parties that negotiate this are fallible. There may well be a situation when the board, composed as I understand of the chairman, two members of the native bands, two physicians and two members representing lay people who are neither physicians nor members of bands, will be making decisions that will not satisfy all the victims, all the complainants and all the applicants for compensation. For some reason, a victim of mercury poisoning might feel the decision of the board was not fair when it has refused to compensate him. Since members of the board are fallible, as are all human beings, it is quite possible such a situation or circumstance may exist.

I would not want to have the recourse available to all other citizens in other cases of compensation for injury and for injured health to be denied any native who was subject to mercury poisoning, where the decision of the board may not have agreed with his or her claim.

We have compensation for injured workers through the Workers' Compensation Act, which encompasses and includes contributions from employers in the private sector, as in this case with the two companies involved. We give compensation through the Compensation for Victims of Crime Act to victims of criminal acts, where federal moneys are involved.

In these cases, there is nothing in the relevant act that says, if the Workers' Compensation Board and all the aspects of appeal that are provided are exhausted, that the Ombudsman may intervene. There is no reference in the Workers' Compensation Act. There is nothing in the Compensation for Victims of Crime Act indicating that, when all the channels of appeal

for a victim of a criminal act are exhausted, the Ombudsman has the jurisdiction and the right to interfere. It is well understood that appeal to the Ombudsman is open and available. It is implied in those acts.

One may say we are dealing with status Indians. I can tell members that 60 per cent of all the claims to the Ombudsman in northern Ontario come from status natives, whether they are cases through correctional institutions or others.

Mr. McClellan: What is the member's point?

Mr. Shymko: My colleague the member for Bellwoods (Mr. McClellan) asks what my point is.

Mr. McClellan: I am not being facetious. I do not understand.

Mr. Shymko: I am not being facetious at all. This is my point: I want to ask the Attorney General if this bill, and the individuals affected, are subject to the Ombudsman Act or an appeal to the Ombudsman.

Mr. McClellan: Of course.

Mr. Philip: Of course.

Mr. Shymko: My colleague who sits on the standing committee on the Ombudsman—and I refer to no other than my good friend the member for Etobicoke (Mr. Philip)—and the member for Bellwoods, who is not on the Ombudsman committee, both answered my question, "Yes, of course it is."

That is the reaction of legislators who either sit on the standing committee on the Ombudsman or do not sit, but through their years of experience would not even envisage this bill not going through the jurisdiction of the Ombudsman.

Mr. Philip: Somebody who has read the Ombudsman Act. That is all it is.

Mr. Shymko: Rightly so. I would like to read the Ombudsman Act because I had intended to introduce an amendment to section 21 of the bill, saying that nothing in subsection 1 would affect the application of the Ombudsman Act. We know this cannot go to court, but I had intended to do this. As is the normal procedure of planning to introduce an amendment, particularly to a bill that has been awaited for 16 years, I would not have wanted in any way to jeopardize the speedy passage of this bill so I asked the Attorney General, whose wisdom I have always respected and hopefully will continue to respect, for his opinion about whether I, a humble member of this chamber, could introduce an amendment to this bill.

Hon. Mr. Scott: Get off it, Yuri. Ask your question.

Mr. Shymko: I hear the words, "Get off." "Get off" was approximately the answer when I spoke to the Attorney General. That is from the point of view that: "If you should introduce such an amendment, I will simply pull the bill. You are complicating; you cannot change this because it is a negotiated agreement and any amendment to this bill simply cannot be done. It will jeopardize the agreement."

I am concerned by such an answer because I hope the impression my honourable colleague the member for Etobicoke has, which is shared by my honourable colleague and House leader of the third party, the member for Bellwoods, understands there is absolutely nothing to prevent a native who is refused compensation from appealing to the Ombudsman and that the Ombudsman, through the Ombudsman Act, has jurisdiction.

I had sought the opinion of the Ombudsman who, unfortunately, could not be reached. I had asked for the opinion of the executive director of the Office of the Ombudsman a week and a half ago and had not received an answer. So, in a panic, I called the legal counsel of the Ombudsman's office, who indicated to me that this is an anomaly. This bill would be very unusual if it were interpreted that an individual claimant cannot go to the Ombudsman.

I was told by the Attorney General privately—and I hope he will change his opinion publicly in a response—that in no way is this bill subject to the jurisdiction of the Ombudsman.

My question is whether, in the last 60 minutes or an hour and a half or so since I asked for that personal opinion, the Attorney General still shares the personal view that this is not subject to the Ombudsman Act?

Mr. McClellan: Read section 15(3) of the Ombudsman Act.

Mr. Shymko: I would like to read subsection 15(3) of the Ombudsman Act.

Hon. Mr. Scott: The member should not read what they tell him to read.

5:50 p.m.

Mr. Shymko: I never read what they tell me to read. I had this great voluminous book, the Revised Statutes of Ontario, 1980, open to page 842 some time ago to read subsection 15(3) of the Ombudsman Act. Although I respect the wisdom of the Attorney General, maybe he should read the Ombudsman Act before making any private statements or opinions. I warn him before he makes any public response to be aware, and I will

have all the honourable colleagues read along with me.

"The powers conferred on the Ombudsman by this act may be exercised notwithstanding any provision in any act to the effect that any such decision, recommendation, act or omission is final, or that no appeal lies in respect thereof, or that no proceeding or decision of the person or organization whose decision, recommendation, act or omission it is shall be challenged, reviewed, quashed or called in question."

I ask the Attorney General if anything could be clearer than that.

Mr. McClellan: What is the purpose of the speech?

Mr. Shymko: The purpose of the speech is that it is the opinion of the minister who has introduced this bill that it is not appealable to the Ombudsman.

Mr. McClellan: Horse feathers.

Mr. Shymko: "Horse feathers" is right. There may be other, more parliamentary, expressions that I may use. If "horse feathers" is acceptable, that is the right reply to such an opinion.

No act refers to the right of the Ombudsman to have jurisdiction except for one, and that is the Metropolitan Police Force Complaints Project Act, soon to be the Police Force Complaints Act. My colleague the member for Etobicoke, who is the expert in the jurisdiction of the Ombudsman can correct me. I understand it is the only act that says specifically the Ombudsman cannot interfere and has no jurisdiction.

Mr. Philip: The Freedom of Information and Protection of Privacy Act has that.

Mr. Shymko: It is not an act yet. I congratulate my colleague the member for Etobicoke who so eloquently presented the view of the standing committee on the Ombudsman to a certain committee with regard to the Freedom of Information and Protection of Privacy Act, soon to be passed, so that it may include some of our concerns.

However, at present there is only one act that says specifically there will be no jurisdiction by the Ombudsman. Every year, as the Ombudsman committee sits, a ministry says to the Ombudsman: "You have no jurisdiction. You have no right to review this case. You have no right to move in on this crown agency or board."

An individual minister can have his own opinions, but it is the act that supersedes the personal opinion of a cabinet minister. Sometimes a minister will appear before the Ombudsman's committee with a retinue of his experts and

legal counsel and so on, questioning the jurisdiction of the Ombudsman, and in many cases they are wrong.

Notwithstanding what I may hear soon from the Attorney General with regard to the jurisdiction of the Ombudsman, this act states clearly that unless it is stated specifically in this bill or the act, when the bill becomes an act, the Ombudsman has jurisdiction. The province is surely involved. The over \$2 million that will be provided to compensate is to be increased until 2004, to guarantee that there will always be a reserve fund of \$100,000. We are heavily involved, believe me. We are more involved than the federal government, which has no terms of assuring a \$100,000 compensation fund until 2004. We are involved for many years at much more than \$2,167,000, definitely more. It is quite possible that the \$2.16 million will disappear quickly, in two or three years, in compensating the victims. It is quite possible that the reserve fund may be just \$10,000 or \$20,000 in 1989. We will have to provide the extra \$70,000 or \$80,000 in 1989 and continue to provide more in 1990 and 1991.

There is no doubt the federal jurisdiction is involved. Unfortunately, to this day there is no federal Ombudsman. Had there been a federal Ombudsman institution at the national level, I am sure if the act federally were the same as our provincial Ombudsman Act, he too would have had jurisdiction notwithstanding the private sector and private corporate involvement which we find in the Workers' Compensation Board in compensation to injured workers.

My concern is that in similar cases of compensation—be it injury in the place of employment or be it injury as a result of the commission of a criminal act where a person is injured and seeks compensation—we cannot have one law for one category of victims and another law for another category of victims. I would not want this bill to be interpreted as being in any way discriminatory to certain natives who are victims of certain health problems, while others have an access of compensation that gives them access to the Ombudsman.

As members know, the Ombudsman can only recommend. If he is involved in one or two or whatever number of cases, should they occur, where the board has refused to provide compensation, he will be recommending it. If the board refuses to implement the recommendation of the Ombudsman—that is all it will be, a recommendation to the board—should the board still refuse, the Ombudsman appeals to the Legislative

Assembly as a recommendation-denied case and we get involved. The onus, no doubt, is on the board to implement his recommendation in the case when the Ombudsman gets involved.

In speaking to the legal counsel to the bands and in speaking to others who were involved in a major way in the negotiations and in the consultation and advice they provided for the drafts—there may have been many drafts of this bill before the final product that we see—I understand that concern may have been expressed or some thought may or may not have been given to the Ombudsman's jurisdiction. Perhaps it may have been implied automatically, or the thing may have gone without much thought having been given to it, thinking there would be no situation or circumstance in which a native would not have the maximum review of board decisions. I understand it when a board decides there may be some form of another review, but the board's decision is final.

6 p.m.

I also understand that in the composition of the board a maximum effort will be given so the two native bands are consulted, and that it will not be a situation of the two native representatives versus the other four, who will be the majority and who may in some way have a greater power of decision that could be harmful to or not reflect the views of the two native representatives on the board. It may well be that one of the doctors would be a native. It may well be that one of the laymen would be a native. Should that be the case, to some degree I am much happier that there will be at least four native opinions on the board versus two non-native. That may be something to which consideration may be given in the process of selection for appointment of the board. I applaud that approach.

Notwithstanding this, we do not know specifically who will be appointed as the seven members of the board. I would like to ask the Attorney General whether he will reaffirm and reiterate what he has told me privately, which is that this bill is not subject to the Ombudsman's jurisdiction.

Is that the opinion of the Attorney General, after having listened to the responses from honourable colleagues, including the member for Bellwoods and the member for Etobicoke? I am sure all honourable colleagues share my concerns, including the Minister of Housing (Mr. Curling), who was sitting on this side discussing certain important issues in Bill 11 or whatever.

If that should be the case, if the Attorney General's response to my question—a question

which is shared by others—says he has no jurisdiction, I will not be introducing an amendment if it complicates the process. I assure him I do not want to create obstacles. I want this passed, as do we all. I assure him I will refer and raise this in the standing committee on the Ombudsman. We will ask the Ombudsman's opinion of his jurisdiction on this bill, which I hope will become an act very soon—I hope today.

If that is the case, it is the responsibility of all of us to make sure an amendment is introduced some time in the near future, not today, to guarantee equity of access, because there are no first-class or second-class citizens in this province; there should not be, particularly when we talk about natives who unfortunately have been for too long second-class and third-class citizens of our province.

I am concluding my remarks with the reaffirmation that he will share my concern that if that happens, we should introduce an amendment some time in the very near future so the Ombudsman will have jurisdiction, an amendment that most likely would come under section 21, stating as subsection 3 that nothing in subsection 1 affects the application of the Ombudsman Act. That is all I wanted to say. If that complicates the issue, I do not want to do that.

I was appalled by the arrogance of the Attorney General saying, "Do not introduce an amendment because you have no right to do so, because that jeopardizes the agreement."

I do not know whether the agreement would be jeopardized. As elected members of this assembly, we all have rights to discuss our concerns and yes, to introduce amendments if we think, sincerely, that amendment is paramount to providing the equity of protection that is offered to all other citizens.

Mr. McClellan: Very briefly, this is a very historic opportunity we have this afternoon.

I really want to say only one or two things. I came into politics in 1975 largely because of my experience in working with native communities in northern Ontario with the provincial government. I had the opportunity in 1969 to visit Grassy Narrows and Whitedog. I remember those communities before they were devastated, when they were still able to pursue the traditional economy and were very coherent and vibrant traditional communities. In a few short years, those communities were completely wrecked in what was the first major environmental disaster to hit this province.

Next to the tragedy that befell the communities themselves, one of the most appalling things was the sheer inadequacy of the public response to the tragedy. When I was elected, about five years after the mercury pollution began, the government of the day was still basically denying there was anything particularly wrong, that there was any responsibility to be assigned to anybody in particular in the public or the private sector. It was basically denying and stonewalling and attacking those who were trying to address, raise concerns about and publicize the problem.

We had a little bit of that again this afternoon from the member for Kenora, who once again attacked the former member for Scarborough West because he had raised the issue during the 1970s. The member for Kenora obviously does not understand in 1986, any more than he understood in 1976 or 1970, what this is all about.

Mr. Bernier: He tried to exploit them. The member knows that.

Mr. McClellan: He said under his breath that the former member had tried to exploit it. He thinks that is all the issue was about—political exploitation. Ten or 15 years later, he has no more understanding of what was involved and what is involved in this tragedy than he did so many years ago.

I am absolutely convinced it was necessary for a change of government to take place in this province in order that this settlement could be achieved. I am absolutely convinced we would not have Bill 76 before us had there not been a change of government. I think that is a reality. It is reinforced by the kind of debate that has taken place in this assembly.

There is nothing to celebrate in the passage of this bill, except to say that perhaps in some small way some of the debt will begin to be paid. Nothing can bring back what has been destroyed in Grassy Narrows and Whitedog. Nothing can bring back the traditional way of life that has been destroyed for ever. Nothing can bring back the fabric of those communities. Nothing can bring back the shattered lives. Nothing can bring back those who have died because of the terrible, devastating destruction of those two communities.

I look forward to the passage of this bill and to its passage quickly, I hope this afternoon. I say to the Attorney General that we have been waiting for this bill to be called by the government. We intend to support it. We intend to waive the requirement of delay between second and third reading. We want this bill passed. We want it

passed quickly. We want it passed today. We want it proclaimed today.

The Deputy Speaker: Are there questions or comments? Does any other honourable member wish to participate in the debate? If not, I recognize the minister, and this closes the debate.

6:10 p.m.

Hon. Mr. Scott: I will be relatively brief. There are a couple of things I would like to say in response to the matters that have been raised.

First, the Ombudsman Act has nothing to do with this. As the honourable members will know if they read the Ombudsman Act, this proposed act and the agreement, this is a fund created at this moment not with government money but with money the native people will be getting under a settlement. It is in that sense their money and they have created a board that will distribute their money, the fund, in a way that they have selected. The board is given its authority from the agreement which is confirmed by a statutory enactment. In other words, it is not the creation of a governmental agency in the sense that is referred to by the Ombudsman Act. The Ombudsman Act could have no application to this exercise whether it was referred to in it or not. I simply leave that there.

The member for Algoma asked why it took so long. He did not ask that entirely rhetorically, because had there been more time I think he would have attempted a detailed answer. History will provide an answer. Revisionism is at large, as it is in all human events. I will say nothing about it because I do not want to spoil the importance of this occasion for anybody who is anxious to participate in it. However, there will be an answer as to why this took so long.

I join with the member for Bellwoods when he points out—and I think this is critical—that this is not an occasion for celebration. We are carrying on here as if we are doing something great when in fact we are not. We are making a modest reparation for a very grave, now historic, injustice.

The member for Algoma was right to focus as he did on the strength, resourcefulness, energy and dedication that the native people of these two bands exhibited over many years, constantly faced with a frustration that few members of our society face.

For me it is a moving thing to look at the writ—it is in the compendium—that I am proud to say our firm issued on June 30, 1977, when the battle was half over. The requirements of the writ were that we had to list all the people who might

benefit from this litigation. We could not say, "...and all members of the band." For particularity, we had to list all their names, all the names of their children and the names of all the people who had died since the thing happened.

People were dispatched to the Grassy Narrows and the Whitedog reserves to get those names, and there they all are today. There are hundreds of them, page after page; not names of corporations or entities or partnerships or associations, but real names of living people. Isaac Mandamin, Charles Carpenter, George Bunting, Douglas McDonald, Roy McDonald, Josephine Mandamin, James Land, Baptiste Bigblood, Harriet Bigblood, and so on for pages and pages. These people have suffered enormously. They have shown enormous energy and resource. Today, we make a guilt offering by passing this act.

As Attorney General, I get to do some wonderful things which I am proud to do and which I am anxious to do well. I answer questions about why we do not have better courthouses, why the judges' salaries are not higher, why there is not a bailiff here and a bailiff there and a justice of the peace. Those are all very important matters that I am proud to attempt to discharge.

However, I am certain honourable members may agree that when we come to the year 2000 and people look back at what we were doing, there will be two fundamental issues they will ask about. The first issue will be how we dealt with human rights and the second issue will be how we dealt with the environment. How we dealt with the Woodstock courthouse, begging your pardon, will recede in importance in the year 2000 when our children look back and say, "How did you deal with those two issues?" Those will be the issues that matter, the issues of human rights and the environment. Those two issues intersect more perfectly in terms of the native people in our province than anywhere else.

When we are talking about the native people, we are not talking simply about the bands. We are talking about nonstatus people and Metis people; we are talking about people who live in the country and in the north and people who live in the cities. My riding, St. David, is the second or third most heavily populated native riding in Ontario. Those people are the brothers and sisters of the people at Grassy Narrows and in the north.

The important thing, and one of the ways we will be judged, is how we deal with the three critical issues on the agenda for native people. The first is the entrenchment of aboriginal

self-government in our Consitution, a matter that must be resolved next year.

The second is the introduction of self-government systems to the native people, in the bands on the reserve and off the reserve, in a way that meets their needs, a terribly difficult task which has already begun under this government with the Nishnawbe-Aski nation negotiations.

The third thing is developing a way to bring the public services to which all Ontario people are entitled because they are Ontarians to the native people, wherever they may live, in a delivery method that is satisfactory to their needs and that responds to their concerns. I believe that 20 years from now, when our friends look back at what we said, if we have not begun to deal with human rights and environmental matters and if we have not begun to focus on those in that crucible where they are found, the native people of Ontario, if I build 11 courthouses or somebody else encourages me to appoint nine justices of the peace, it will not matter a tinker's damn.

I am very grateful for the support of the honourable members in passing this bill.

I want to say only that Peter Jacobsen, who used to be with the law staff of the Ministry of the Attorney General and who has played a major role in the negotiation of this agreement, is present. I want to tell him how grateful I am for his help and his support. That is all I have to say.

Mr. Shymko: On a point of order, Mr. Speaker: I want a clarification from the Attorney General. Did I understand the Attorney General to say that—

Mr. Wildman: Out of order.

Mr. Shymko: No, I just want to understand. I asked the Attorney General to answer a question.

The Deputy Speaker: No, that is not a point of order. Would you please refer to what standing order is involved if it is a point of order.

Mr. Shymko: Am I not entitled to two minutes after the Attorney General's remarks?

The Deputy Speaker: No, you are not.

Mr. Wildman: Not after a wrapup.

The Deputy Speaker: No, not after the wrapup. Thank you.

Motion agreed to.

Bill ordered for third reading.

6:20 p.m.

ENGLISH AND WABIGOON RIVER SYSTEMS MERCURY CONTAMINATION SETTLEMENT AGREEMENT ACT

Hon. Mr. Scott moved third reading of Bill 76,
An Act to implement the Terms of a Settlement

arising out of the Contamination by Mercury and other Pollutants of the English and Wabigoon and Related River Systems.

Mr. Shymko: I want to indicate that I am quite saddened if the interpretation by the Attorney General (Mr. Scott) is that a native individual who has suffered neurological deficiencies consistent with mercury poisoning and has applied for compensation to the board will be denied such compensation because of the opinion of the doctors on the board or other evidence contrary to the evidence that he provided and that, let us say, of other doctors, and that he would not have access to seek leave to appeal with the Office of the Ombudsman.

Is it my understanding that an individual in this predicament would not be able to appeal the decision of that board to the Ombudsman? If not, it is sad.

The Deputy Speaker: Are there questions or comments?

Hon. Mr. Scott: I think the difficulty is that the honourable member does not understand the bill.

Mr. Wildman: On a point of order, Mr. Speaker: I want to make a comment—

Hon. Mr. Scott: I am sorry; I was responding.

The Deputy Speaker: This is questions and comments. I did not see the member standing up.

Hon. Mr. Scott: The honourable member perhaps does not fully understand what the bill does. We are not here creating a governmental organization to which the Ombudsman Act would respond. We are not providing any public money for this under this bill. The native people are providing \$2 million of their money—we are providing none, except some administrative costs—and they want us to participate with them in creating a scheme to administer the money and pay it out. It is their money.

They want their board, which is going to pay the money out, to have statutory placement. In my opinion, it is not a governmental organization under the Ombudsman Act. Even if it were, if one were to complain to the Ombudsman, what could he do? He could not go to the native people and ask them to pay over some more money.

Mr. Shymko: Everything is the people's money; the workers' or the Workers' Compensation Board's.

Mr. Wildman: In supporting this legislation I want to say on behalf of our caucus that we have faith in the goodwill of the Indian people to ensure that this system works for the benefit of band members. For too long in this society we

have not been prepared to put our faith in the ability of Indian people to handle their own affairs with alacrity. I believe it is about time we started to feel that way. Instead of arguing or debating, what we should be saying in response to the passage of this bill is, "Meegwetch."

The Deputy Speaker: Does the member for High Park-Swansea wish to reply?

Mr. Shymko: No, thank you.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon. Mr. Scott: The House will not sit on Monday and Tuesday in accordance with standing order 2(d).

On the afternoons of Wednesday, July 2, and Thursday, July 3, we will continue with the legislation on today's Orders and Notices which has not been completed today and, if time permits, other legislation to be announced.

On Thursday morning private members' business standing in the names of the member for Lambton (Mr. D. W. Smith) and the member for Lanark (Mr. Wiseman) is scheduled.

The Treasurer (Mr. Nixon) would like to wish all members a pleasant Canada Day weekend.

Mr. McClellan: Where is the Treasurer now?

Hon. Mr. Scott: On his pleasant Canada Day weekend.

The House adjourned at 6:24 p.m.

CONTENTS

Thursday, June 26, 1986

Members' statements

| | |
|---|------|
| Tax payments, Mr. Andrewes | 1997 |
| Occupational health and safety, Mr. Laughren | 1997 |
| Two-way hat, Mr. Sargent | 1997 |
| Tourism advertisement, Mr. Baetz | 1997 |
| Insurance rates, Mr. Swart | 1998 |
| Attendance of members, Mr. Callahan | 1998 |
| Soviet reactor, Mr. Shymko | 1998 |

Statements by the ministry and responses

| | |
|---|------|
| Fontaine, Hon. R., Minister of Northern Development and Mines: | |
| Alleged conflict of interest, Mr. Brandt, Mr. Wildman, Mr. Rae | 1999 |
| Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services: | |
| Marine awareness program | 2002 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Wheel-Trans labour dispute | 1998 |

Oral questions

| | |
|---|------|
| Curling, Hon. A., Minister of Housing: | |
| Rent review, Mr. Reville | 2006 |
| Elston, Hon. M. J., Minister of Health: | |
| Extra billing, Mr. Grossman | 2002 |
| Extra billing, Mr. Rae, Mr. Andrewes | 2004 |
| Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services: | |
| Prison facilities, Mr. Callahan | 2010 |
| Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions: | |
| Insurance rates, Mr. Swart | 2011 |
| Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs: | |
| Extra billing, Mr. Grossman, Mr. Rae | 2002 |
| Alleged conflict of interest, Mr. Grossman, Mr. Wildman | 2006 |
| Alleged conflict of interest, Mr. Grossman | 2008 |
| Alleged conflict of interest, Mr. Grossman | 2010 |
| Extra billing, Mr. Rowe | 2012 |
| Riddell, Hon. J. K., Minister of Agriculture and Food: | |
| Stabilization payments, Mr. McKessock | 2008 |
| Scott, Hon. I. G., Attorney General: | |
| Courthouses, Mr. Callahan, Mr. Andrewes | 2011 |
| Courthouses, Mr. Allen | 2012 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Exposure to asbestos, Mr. Martel | 2009 |

Petition

Naturopathy, Ms. Fish, tabled 2013

Report by committee

Standing committee on the Legislative Assembly, Mr. Breaugh, adjourned 2013

Motion

Committee sittings, Mr. Nixon, agreed to 2014

First readings

Institute of Certified Management Consultants of Ontario Act, Bill Pr24, Mr. McFadden, agreed to 2014

Municipal Amendment Act, Bill 110, Mr. Breaugh, agreed to 2014

City of Brantford Act, Bill Pr27, Mr. Gillies, agreed to 2014

Cedarhurst Golf Club Act, Bill Pr22, Mr. Stevenson, agreed to 2014

Private members' public business

Paralegal Agents Act, Bill 42, Mr. O'Connor, Ms. Gigantes, Mr. Epp, Mrs. Marland, Mr. Warner, second reading agreed to 1979

Ontario Institute for Studies in Education Amendment Act, Bill 46, Mr. Pouliot, Ms. Bryden, Mr. Cordiano, Mr. McFadden, Mr. Allen, Ms. Hart, Mr. Dean, Mr. Warner, second reading agreed to 1987

Private member's motion

Soviet reactor, resolution 48, Mr. Shymko, Mr. Breaugh, Mr. Ruprecht, Ms. Munro, agreed to 2014

Second readings

Municipal Amendment Act, Bill 79, Mr. Grandmaître, Mr. Partington, Mr. Sterling, agreed to 2016

English and Wabigoon River Systems Mercury Contamination Settlement Agreement Act, Bill 76, Mr. Scott, Mr. Bernier, Mr. Wildman, Mr. Shymko, Mr. McClellan, agreed to 2022

Committee of the whole House

Municipal Amendment Act, Bill 79, Mr. Grandmaître, Mr. Barlow, Mr. Partington, Mr. Breaugh, reported 2021

Third reading

English and Wabigoon River Systems Mercury Contamination Settlement Agreement Act, Bill 76, Mr. Scott, Mr. Shymko, Mr. Wildman, agreed to 2034

Other business

Recess 1996

Resignation of member, Mr. Speaker 2002

Visitor, Mr. Scott 2013

Business of the House, Mr. Scott 2035

Adjournment 2035

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)

Andrewes, P. W. (Lincoln PC)

Baetz, R. C. (Ottawa West PC)

Barlow, W. W. (Cambridge PC)

Bernier, L. (Kenora PC)
Brandt, A. S. (Sarnia PC)
Breagh, M. J. (Oshawa NDP)
Bryden, M. H. (Beaches-Woodbine NDP)
Callahan, R. V. (Brampton L)
Cordiano, J. (Downsview L)
Curling, Hon. A., Minister of Housing (Scarborough North L)
Dean, G. H. (Wentworth PC)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Epp, H. A. (Waterloo North L)
Fish, S. A. (St. George PC)
Fontaine, Hon. R., Minister of Northern Development and Mines (Cochrane North L)
Gigantes, E. (Ottawa Centre NDP)
Grande, T. (Oakwood NDP)
Grandmaitre, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Hart, C. E. (York East L)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Laughren, F. (Nickel Belt NDP)
Mancini, R. (Essex South L)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McFadden, D. J. (Eglinton PC)
McKessock, R. (Grey L)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Reville, D. (Riverdale NDP)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Runciman, R. W. (Leeds PC)
Ruprecht, Hon. T., Minister without Portfolio (Parkdale L)
Sargent, E. C. (Grey-Bruce L)
Scott, Hon. I. G., Attorney General (St. David L)
Shymko, Y. R. (High Park-Swansea PC)
Sterling, N. W. (Carleton-Grenville PC)
Swart, M. L. (Welland-Thorold NDP)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Warner, D. W. (Scarborough-Ellesmere NDP)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)



No. 41

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Wednesday, July 2, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Alphabetical lists of members of the Legislative Assembly of Ontario, members of the executive council, parliamentary assistants and members of committees also appear at the back as an appendix.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, July 2, 1986

The House met at 2 p.m.

Prayers.

MEMBERS' STATEMENTS

FOOD LAND PRESERVATION POLICY

Mr. Sheppard: I am pleased to have the opportunity to comment on the proposal brought forth by the Minister of Agriculture and Food (Mr. Riddell) and the Minister of Municipal Affairs (Mr. Grandmaître) with respect to the policy statement on food land preservation. As members are aware, agriculture is the most prominent industry in my riding of Northumberland, where it has been pursued successfully since the 1830s.

I am in agreement with the principles of the statement. However, there is one section of this proposed policy that is causing considerable concern to the agricultural community in my riding. The area of concern is the restrictions on severances for retiring farmers. Farmers need all the assistance they can get at this time when they are having difficulties making ends meet. Severances provide an additional source of income. More important, they assure a retirement home.

I am concerned that, because of the need to serve the wide spectrum of Ontario agriculture, the needs of individual municipalities will be overlooked. We must keep in mind that one system suitable for central, southern and western Ontario could prove detrimental for eastern and northern Ontario. Therefore, I strongly urge the ministers to revise this section of the policy to allow more local autonomy in the determination of farm severances.

INSURANCE RATES

Mr. Foulds: I want to bring to the attention of the House the difficulty the Murillo fall fair in my riding is having in obtaining liability insurance.

The summer is well under way. That means the fall fair season in Ontario is not far off. In Murillo, just west of Thunder Bay, the people are gearing up for their 96th annual fall fair and making plans for their 100th fall fair in 1990. However, after 96 years without a claim and without a liability-related complaint, the Murillo

Fair's insurance will end August 1. Why can it not renew the insurance? The agricultural society's president tells us it is because the insurance company felt the policy was not profitable enough.

The Murillo fall fair is not the only victim of the insurance industry. The Canadian Lakehead Exhibition was fortunate enough to have been able to renew its coverage recently. However, it is now paying \$15,000 a year for \$1 million worth of liability coverage. Last year, they had \$5 million, five times as much, for only \$2,000, or one seventh of the cost.

This government has to do more than talk about the insurance problem. It has to start doing something. It must make a serious effort to implement some fair solutions in a very unfair insurance market. It must start protecting consumers. It must ensure the Murillo fall fair goes forward this year.

PORK PRODUCERS

Mr. Reycraft: I want to take a few seconds this afternoon to commend my colleague the member for Huron-Middlesex, the Minister of Agriculture and Food (Mr. Riddell), for his recent announcement of a \$54-million improvement program for the Ontario pork producing industry.

Pork production generates the third-largest farm-gate income in the province. This new program will help maintain the industry's competitive position in the Canadian and international market.

This program will be of assistance to farmers in two ways. First, it will fund surveys to identify consumer preferences to assist in the upgrading of packaging technologies, and it will help develop new products for domestic and foreign markets. Second, it will provide production initiatives designed to improve the efficiency and the profitability of Ontario pork production.

Furthermore, these marketing and production initiatives not only will benefit the 15,000 pork producers in Ontario, including those in my riding of Middlesex, but will also help to support the 14,000 people who work in the meat processing industry.

I believe this is a worthwhile program that will help to preserve one of the most important agricultural industries in the province.

RENTAL ACCOMMODATION

Mr. Gordon: I want to address briefly the commitment and competence of the Minister of Housing (Mr. Curling) in dealing with the housing crisis we face in Ontario. The simple fact is that the minister is not dealing with that crisis and is not getting more rental housing built in this province. His civil servants may be making policies and programs, but the minister fails to grasp them. He merely parrots, postures, makes grandiose statements and announcements and holds press conferences.

As critic, I have posed innumerable questions to the minister. On at least two occasions, he has claimed the figures presented to him were wrong, despite the fact that these figures come directly from his own policy statements. For example, I have been told in this House that a formula exists that will allow landlords to raise their rents by at least 7.2 per cent on certain rental units, but at the same time he tells us the rents of tenants living in those units will not increase. This is a magic formula indeed. I suppose the gremlins pay the increases.

I asked the minister to find that formula in his guidelines, and he told me it was in his legislation. When we looked in the legislation, it was not there. I asked the minister where it was in the legislation, and subsequently, he read from page 35 of his guidelines a quote that had nothing whatsoever to do with the question.

The minister either laments the past or refers to the future. Meanwhile, the present is in limbo, and despite all the press conferences and parties, the crisis is mounting into a nightmare for many tenants. How can the Premier (Mr. Peterson) tell Ontario that his government is committed to solving the housing crisis?

OCCUPATIONAL HEALTH AND SAFETY

Mrs. Grier: I want to draw to the attention of the government the plight of an occupational health clinic attached to a multiservice centre in my riding known as the Lakeshore Area Multi-services Project, LAMP. This centre has been kept waiting for months for an answer to its funding application and seems doomed to die in the time it takes one ministry to negotiate with another.

Eighteen months ago, LAMP opened its occupational health clinic in response to the

needs of its community. This meant directing the time of a health educator to co-ordinating in the clinic, getting donations from the Ontario Federation of Labour and finding a doctor with the necessary expertise who bills through the Ontario health insurance plan. LAMP provided space and administrative support, a very appropriate way to begin a project on a small scale.

It was quickly obvious that the demand was there and that there was a need for permanent and stable funding. Application was made to the district health council, and in July 1985, LAMP was rated as project number one on the list of recommendations to the Ministry of Health for funding. There has been no answer. When I asked the minister to approve some funding quickly, the answer from the bureaucracy was: "How can the clinic close? We have not opened it yet."

Occupational health problems are rapidly becoming of crisis proportions in urban centres. I urge the Minister of Health (Mr. Elston), the Minister of Labour (Mr. Wrye) and the Workers' Compensation Board to sit down with representatives of the community and determine, once and for all, where responsibility lies for funding such independent occupational health clinics.

BRAMPTON FESTIVAL

Mr. Callahan: This is the last opportunity anybody in Ontario or this Legislature will have to make plans to attend Carabram in Brampton, starting on Friday of this week and continuing through the weekend.

On Monday, June 30, I had the pleasure to attend and bring greetings from the Premier (Mr. Peterson) and the government and to give to the Carabram people a cheque for \$15,000, which was very nicely given to me by the Minister of Citizenship and Culture (Ms. Munro). That will assist these people to carry out their pavilion.

I invite all members and all the people watching this question period to come out to Brampton. On Friday night at 7:30, the Indian pavilion will be opened by the minister. I am sure they will find Carabram is running alongside Caravan, if not ahead of it. I invite everybody there this weekend.

INSURANCE RATES

Mr. Hennessy: Members will be aware of the problem at the Murillo fall fair sponsored by the Oliver Agricultural Society in Thunder Bay. The fair has been advised by its insurance company that its policy will not be renewed beyond August

1, 1986, because of the hazards associated with agricultural fairs.

A submission for the Murillo fall fair has been forwarded to the Ontario liability insurance pool to determine whether coverage can be arranged, but in these circumstances the cost for insurance may be too high and, therefore, not a solution. This loss of insurance means that fairs, which have been a tradition for many years, will be no longer in operation. I also talked to the Hymers Fall Fair people.

This government has had plenty of time to act positively on behalf of the Oliver Agricultural Society and other agricultural societies wanting to hold fall fairs, but the government has not acted. It has tried to bury the issue under a mountain of task force reports, ignoring the threat to the future of the Murillo fall fair and fairs like it, such as the Hymers Fall Fair, across my riding. I ask the government to act. This is its chance to protect and provide coverage for fall fairs in my riding and throughout the province.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY

Mr. McCague: On a point of privilege, Mr. Speaker: I rise today to seek your guidance with respect to standing order 18.

On Wednesday, December 18, the Minister of Colleges and Universities (Mr. Sorbara) rose in this House to announce the appointment of Walter Pitman to evaluate the government of Ontario's college system. The minister reported to the House that Mr. Pitman would complete his work by March 31, 1986. It is now July 2, three months past the date the minister promised this House the report would be completed.

On June 24, this House ordered that the matter of premature release of the report from the select committee on energy be referred to the standing committee on the Legislative Assembly because the contents of the energy committee's report were printed in the Toronto Star before they were released to the Legislature.

Today, we have yet another example of a report being leaked to the Toronto Star before being presented to this House. Walter Pitman's report is a page one story in this morning's Toronto Star. I realize that, because Mr. Pitman's report is not a result of a committee of this House, it does not compare with that of the report of the select committee on energy, except for the fact that they were both published prematurely.

However, it is a point on which you made some comment on June 10, 1986: "Whether or

not assistants...have violated their oaths of secrecy is a question of law and a question upon which the authorities indicate that the Speaker shall not give a decision. Such a matter could, if justified, give rise to an action in the courts; however, it is not one with which the Speaker is able to deal."

My point of privilege is this: You have ruled that leaks to the newspapers are not points of privilege upon which you may rule. However, you do suggest they are questions of law that "constitute a legitimate grievance and certainly involve a question of courtesy to or respect for the House."

If I wished to ask a question about this disrespect for the House and specifically about the apparent violations of public servants' oaths of secrecy, to which ministers of the crown should I direct such a question?

Hon. Mr. Sorbara: On the point of privilege, Mr. Speaker: My friend errs on a number of points, and I think you will agree with me that it is not a point of privilege.

First, when I made the statement in December I said Mr. Pitman would be reporting to me on May 31. That does not respond to the major point the member has made. He has accused me, I think, of leaking Mr. Pitman's report to the Toronto Star. Nothing could be further from the truth.

In fact, the point should be made that Mr. Pitman's work was not work of a legislative committee. Mr. Pitman was retained to offer me sound advice, after consultation, on governance in the community college system. He prepared that report and delivered it to me on or about May 31. We have been preparing a French translation of the report, and, indeed, my critics in the opposition have copies of the report.

The fact is that a reporter from the Toronto Star got wind of some of the recommendations in that report and asked me questions about them, and I responded as openly and honestly as I could. The report is now available to community colleges and to my friend the member for Dufferin-Simcoe (Mr. McCague), if he wishes to have a copy.

Mr. Speaker: I have listened carefully to the member and to the minister. I believe the member was correct in quoting me on my previous ruling. Therefore, it is not my duty to rule on any matter other than that pertaining to a committee report. I cannot find that a point of privilege.

PRESS REPORT

Mr. McGuigan: On a point of privilege, Mr. Speaker: On page 18 of the July 2 Toronto Star, under an article headlined "Jail for Young Offenders Called 'a Zoo,'" there appears a picture which purports to be the Solicitor General and Minister of Correctional Services (Mr. Keyes). I rather think the handsome fellow is myself. I wish to point out this error and hope the newspaper will make a correction.

Mr. Speaker: That is certainly a point of personal explanation.

CLERK OF THE
LEGISLATIVE ASSEMBLY

Hon. Mr. Nixon: Mr. Speaker, I hope you will allow me to bring to the attention of the House the 75th birthday of our esteemed Clerk, Roderick Lewis. I know all members will join me in expressing our best wishes.

Hon. Mr. Peterson: I join my colleague in expressing the best wishes and congratulations of this House to the Clerk, who has advised all of us over the many years. I am told he first came to this House as Assistant Clerk in 1946 and succeeded his father as chief Clerk in 1955. He has outlasted everybody except the previous administration.

At the same time, I regret to inform members of a sad duty I have: The Clerk has told me he will be retiring. He has served this House extremely well, as we all know. I want to express my very best wishes. His departure will be effective upon the appointment of a successor, and all members of this House will participate in the choice of his successor, presumably getting to that task over the summer.

I have asked the government House leader to place on the agenda the opportunity to express formally the appreciation and good wishes of the House. I expect it will come forward next Monday and will be debated. At that time, all members of the House will have an opportunity to express their good wishes to Mr. Lewis, and Mr. Lewis will have an opportunity to respond in the House.

May I say to the Clerk that he has served this province with great distinction. We thank him and look forward to next Monday, when we can express in more lengthy terms our great affection and respect.

Mr. Grossman: On behalf of our party, I would like to join the comments of the government House leader and the Premier (Mr. Peterson). I cannot resist noting that when the

Clerk, Mr. Lewis, first joined the House, the Premier and I were three or four years old. Shortly thereafter, I can remember being in the gallery watching the then Assistant Clerk, later the Clerk, spending many nights in less ruly times, if one could believe it, trying to keep the then less ruly—

Hon. Mr. Nixon: Did the member say "less ruly"?

Mr. Grossman: The member was here then; they were more unruly, particularly in those long, late-night sessions—many of which, such as two weeks ago—went all night, when the Clerk was here to make sure things proceeded in as parliamentary a way as possible. My father and I both had the honour to serve under the Clerk's esteemed guidance and advice.

Marking his 75th birthday is a very special day. His name, regardless of what the future holds, will have established itself as an institution in this assembly. My party and I want to join the Premier and the government House leader in acknowledging this fine and important day.

2:20 p.m.

Mr. Rae: This is an occasion of great happiness and one of considerable sadness. I know we will all want to join in celebrating 75 years and many years of extraordinary service to this House. The leader of the Conservative Party has mentioned his family connections. I can safely say that mine probably go back even further, since the Clerk and my father were together at Jarvis Collegiate Institute some years ago.

On behalf of my colleagues, I want to express our thanks for his great service to this House and to this province. I also particularly want to thank him, on behalf of all the members of this House, for the number of occasions on which he has individually helped us out. There have been many times when I have needed to be educated. Indeed, those moments continue. He has given wise advice to everyone in this assembly at various times.

It is a position of unique service. There have been many great Clerks with whom I have had the opportunity to work, both here and in the House of Commons. His own service to this province and to the legislative process has been extraordinary and one of unique quality.

De la part de tous mes collègues, j'aimerais exprimer nos profonds remerciements pour le travail qu'il a fait et pour les services qu'il a rendus à la province et à l'Assemblée législative.

We wish him all the very best as he takes occasion to reflect upon, perhaps write a bit

about and educate us more in terms of the process of this place and how we can improve the work of the assembly and of this parliament.

We wish the Clerk a happy birthday. More important, we wish him well in the work that will no doubt follow his departure from the post of Clerk.

2:22 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

CONFLICT OF INTEREST

Hon. Mr. Peterson: Government faces no issue more complex than the question of how it can ensure its actions and decisions are based solely and clearly on the basis of the public interest with no reasonable suggestion of a conflict in that interest.

This is not a new question, nor one that is unique to Ontario. Indeed, it has been raised frequently in every democratic jurisdiction. I am sure all parties in every jurisdiction would agree on the need to guarantee that nothing detracts from the basic public trust that is central to democracy. At the same time, our regulations and guidelines must be drawn so as to encourage the widest degree of participation.

I wish to make it clear at the outset that I have the utmost confidence in the ministers of my government. I appreciate their efforts to adhere to the guidelines that have been in place since 1972, but at the same time I must acknowledge that the rules and the system we thought worked well in the past may not be good enough today. It has become more and more difficult to determine what is a genuine conflict of interest as opposed to what might only be perceived as a conflict of interest and the consequences that flow from each one.

It is important to recall that former Premier Davis never regarded his 1972 guidelines as exhaustive or as encompassing all possible situations. They must change with the times and adapt to new circumstances. We must find a more impartial way to examine suggestions of conflict of interest and separate the perceived conflicts from the genuine ones. The tools we currently have at our disposal to do that are imperfect at best.

In the 14 years since guidelines were first introduced, society has undergone many changes, and government must catch up. We must ensure that the principles acted upon in 1972 are reflected in guidelines and regulations most appropriate to the 1980s and the 1990s.

The functions of government and the private sector are becoming increasingly interrelated. It would be difficult to think of a profession or business that does not require regular contact with government and is not affected by legislation and government actions.

Certainly it would be impossible to think of a single piece of legislation that affects none of us in this House. Every piece of farm legislation, for example, could affect every member who owns a farm. Legislation regarding teachers' pensions, to cite another example, affects members on all sides of this House.

Only a political, economic and social hermit could claim to be entirely removed from the business of this Legislature, because to be removed from the business of this Legislature is to be removed from society.

The guiding principle that has been accepted by all is that no one should be hindered from participating in the development of a policy from which he benefits, so long as that benefit is not specific or unique to him. Are the people of this province not entitled to know, however, when their elected representatives may stand to benefit financially from legislation? That, it seems to me, is the other side of that principle.

Moreover, we are now well into the era of the two-career family. The families of politicians are no exception. To what degree are we prepared to limit the business and professional endeavours of the spouses, children and other relatives of those who serve the public? Obviously, the business and professional activities of the spouses of politicians add to the complexity of sorting out what may or may not constitute a genuine conflict of interest.

Fourteen years after guidelines were first adopted, we need to examine them to determine how they can be improved and how they can be most effectively implemented.

1. We need clearer guidelines to deal with issues of the 1980s and 1990s.

2. We need a better mechanism to provide advice regarding ministerial disclosure, a mechanism respected by all members of the House and universally across the province.

3. We need a better decision-making forum to determine what is in fact a genuine conflict of interest.

In bringing our standards up to date in this area, there are many broad questions we must address.

Do current regulations fully and fairly cover all situations that could suggest a conflict of interest in the decision-making process?

How far should we go in monitoring the business and financial arrangements of spouses and children and other relatives?

Even accepting the principle that no conflict exists in the case of members of this House voting on matters that could benefit a group to which they belong, should we nevertheless require all members to declare a connection each time such legislation is considered?

Should there be requirements of disclosure for party leaders?

Should all members of the Legislature be required to file declarations of holdings, given the expanded functions we are trying to ensure for them?

Should there be a restriction on some forms of outside work for all members of the Legislature?

Should there be a moratorium before former ministers may accept an appointment to the board of a corporation with which they dealt in office, as federal guidelines require?

Should there be a moratorium before former ministers are permitted to engage in private dealings with the government or represent private clients in dealings with the government? How long should such a moratorium last?

This is by no means an exhaustive list of the questions that must be considered. There are many grey areas in this issue. No doubt, there are many questions of judgement; but there are also questions of whose judgement.

Obviously, all members of this House must always be free to raise any issue that concerns them, but would it meet Ontario's standard of fairness to prevent a minister who has received legal advice that he or she has complied with the conflict-of-interest guidelines to stand accused of a violation because of a conflicting opinion?

Should consideration be given to the establishment of a body that could advise on the appropriateness of arrangements before they are entered into and make recommendations to the Premier after suggestions of perceived conflicts of interest have been raised?

These are just some of the questions that come to mind. They are not hard-and-fast proposals. I would be grateful for the help of all the members of the House in participating and tackling this issue.

We obviously cannot be expected to answer all the questions related to this issue today, but I wish to inform the House of actions I am taking immediately to begin to deal with these concerns.

I am pleased to inform the House that the Honourable John Black Aird has agreed to take on the job of sorting out this issue's long-term

implications, ensuring existing guidelines regarding conflict of interest are met in the short term and reporting to me as soon as possible.

Mr. Aird has graciously advised me that he will perform this task at no cost. I requested him to retain whatever assistance he requires, including the use of members of his law firm.

2:30 p.m.

Mr. Aird's mission will be threefold.

1. Mr. Aird will take on the task of examining the statements of disclosure that have been filed and ensuring and attesting that the guidelines have been fully and correctly applied to all assets held by ministers and parliamentary assistants. This will serve as a valuable addition to the system that has been in place for more than a decade. All his findings in this regard will be filed with the Clerk of the Legislature, it is hoped by the end of August.

2. Mr. Aird has agreed to provide an independent assessment of the validity of any suggestion of conflict of interest that may arise between now and the completion of his long-term task. I ask all members, including those of the opposition parties, to provide Mr. Aird with any information regarding potential conflicts of interest. Mr. Aird's assessment will be provided to me for public release.

3. He will consider the entire question of defining and evaluating what is, in fact, a conflict of interest and devising the most appropriate regulations in this area. Mr. Aird will review and make recommendations regarding the value of a permanent independent commission to review suggestions of conflicts of interest and will also study the question of whether such a commission should be involved in ensuring, on a continuing basis, that the disclosure made by ministers and other affected parties is up to date.

He will make recommendations about the form of a commission and the process involved. Mr. Aird will review work that has been done in this area at the federal level and in other provinces. He will meet with the opposition parties and others who have done work in this area. At the very early stages of his work, he will discuss with the opposition parties questions relevant to its scope and the establishment of an appropriate time frame for his report.

At this time, I wish to thank Mr. Aird for his willingness to take on the assignment. I express the appreciation of the government and, I believe, the entire House for his time and effort. His readiness to assist us in this way is typical of the generous commitment he has displayed to the welfare of this province.

Mr. Aird's recommendations will be passed onto the standing committee on the Legislative Assembly to allow for the most thorough and open consideration by all members of the Legislature. I seek the participation of all parties in dealing with this issue as openly, expeditiously and fairly as possible. We all have a great deal at stake. If we are to develop a system that will deal with these questions, all of us must participate.

ALLEGED CONFLICT OF INTEREST

Hon. Mr. Nixon: With respect to the allegations of a violation of conflict-of-interest guidelines by René Fontaine, Mr. Fontaine has advised me that he is happy to appear before a committee of the House. Therefore, I shall be moving that the matter of René Fontaine's compliance be referred to the standing committee on the Legislative Assembly for review and report to the Legislative Assembly without delay.

Interjections.

Mr. Speaker: Order.

Mr. Grossman: I should like to begin by replying to that last quick statement. To fill out the record, I know the government House leader will want to have mentioned that both opposition parties indicated this morning their conviction that Mr. Fontaine's matter had to be referred to a committee of the Legislature and that we were determined to see that happen. That information was relayed to the government this morning.

The more substantive issue continues to be around not Mr. Fontaine's own conduct and his suitability as a private member in this assembly, but the Premier's (Mr. Peterson) own judgement and his responsibility. In that regard, the statement the Premier has just read is totally irrelevant to the events of the last two weeks. It has nothing whatever to do with them. He may use this as a launching pad to try to wash his hands of this and rise above it, but this statement does not deal with the events that have just happened.

I want to refer to the Premier's statement. He says on page 2, "It has become more and more difficult to determine what is, in fact, a genuine conflict of interest, as opposed to what might only be perceived as a conflict of interest..." On this side of the House, we believe that when a minister of mines owns mines, undisclosed in Ontario, that is not something that is difficult to determine as to whether it is a perceived or a real conflict.

The second issue I would like to raise is on page 5. The Premier says we need "clearer guidelines" to deal with current issues. It is not a question of clearer guidelines. The guideline is very clear. It says ministers must disclose their holdings. There is nothing unclear about that. The minister of mines did not disclose his holdings. There is nothing unclear about that. There is no problem with regard to "a better mechanism to provide advice regarding ministerial disclosure." It was quite clear that if the minister owned those shares, he had to disclose them. No better mechanism is required; he just has to disclose what he holds.

Let me read the questions the Premier wants addressed, starting on page 6.

"Do current regulations fully and fairly cover all situations that could suggest a conflict of interest..." This is not an issue in the Fontaine matter.

"How far should we go in monitoring the business and financial arrangements of spouses and children and other relatives?" This is not an issue in the Fontaine case.

"Even accepting the principle that no conflict exists in the case of members of this House...should we nevertheless require all members to declare such a connection..." This is not an issue in the Fontaine matter.

"Should there be requirements of disclosure for party leaders?" This is not an issue in the Fontaine matter.

"Should all members of the Legislature...file declarations..." This is not an issue in the Fontaine matter.

"Should there be a restriction on some forms of outside work for members..." This is not an issue in the Fontaine matter.

"Should there be a moratorium before former ministers may accept an appointment..." This is not an issue in the Fontaine matter.

"Should there be a moratorium before former ministers are permitted to engage in private dealings with the government..." This is not an issue in the Fontaine matter.

At the bottom of page 7, however, the Premier goes on to say, "There are many grey areas in this issue...but there are also questions of whose judgement." That is right. The question remains, no matter what set of guidelines he has. Whose judgement is the issue, and the answer is that it is the Premier who selects the members of his cabinet. He must peruse the behaviour of ministers and their ability to read clear guidelines—and they are clear in that they say if a minister has holdings, he or she has to file them.

Failing to do that, does the Premier believe a minister ought to remain as a member of the cabinet?

On page 8, the Premier goes on to say, "Should consideration be given to the establishment of a body that could advise on the appropriateness of arrangements before they are entered into?" Of what relevance is that? His former minister refused to tell him about any arrangements before he entered into them. This would do nothing in the Fontaine case.

Finally, on page 10, the Premier purports to appoint someone else to exercise his responsibilities, someone else to provide an independent assessment of the validity of any suggestion of conflict of interest. He goes on to suggest perhaps an independent commission should do that.

We simply say that one of the difficult jobs of a Premier is to make assessments on who is fit to hold office in his cabinet. He may arrive at a different conclusion to that of members of the opposition. We respect that, but we will question his judgement to decide to reappoint Mr. Fontaine or anyone else who fails to meet appropriate standards. Mr. Aird or an independent commission can reach an assessment, but that does not remove the burden of responsibility from the Premier to decide who is fit to serve in the cabinet.

Leslie Frost said it best. He always said that if his ministers did not know how to behave, he, Leslie Frost, would put them out of cabinet. The Premier shirked that responsibility.

Mr. Rae: I want to begin by saying that if the Premier thinks that by establishing this one-man commission to be chaired by Mr. Aird somehow the issue has been solved or the political problem in which the government and the Premier find themselves will go away, he is sadly mistaken. It is my judgement that he is putting the former Lieutenant Governor of this province in a very difficult position. That is his choice, and that is the Premier's choice with respect to how he wishes to proceed. If he thinks that by appointing Mr. Aird to this position he is solving anything with respect to the two cases which are now before the House, he is very wrong. He should not delude himself in that respect.

We have had two attempts at evasion by this government. The first was the Premier's orchestrating the calling of a by-election when there was no question for any member of this House of whether the former member for Cochrane North had a right to stay in this assembly. There has been no question whatsoever established as to

René Fontaine's right to sit as the member for Cochrane North.

2:40 p.m.

The issue before this House is whether René Fontaine, who has an interest in a mining company which he did not disclose to this House, should be a member of the cabinet in Ontario. That is what is at issue. No by-election and, if I may say so, no commission—no matter how strongly we may feel about the qualities of the person who is directing that commission—will solve that issue, that particular problem for the Premier. That is the second attempt at evasion, and it will not work.

The Premier has to recognize that he has an obligation, no matter how much he says the rules are imperfect or the rules are unclear. To quote him, he says, "The tools we currently have at our disposal to do that are imperfect at best." If the government is not willing to enforce the guidelines, it does not matter what they are, how comprehensive they are or how great they are. They could have been devised by Moses and brought down from the mountaintop, but if we do not have a Premier who is prepared to enforce the guidelines, they will not make any difference. That is the problem we have right now. That is where the buck stops.

I am distressed that the Premier has chosen to evade this issue. Most of us feel some tough decisions have to be made from time to time. When a minister files a statement that is incorrect, a statement that omits information that is relevant and that is established clearly in the guidelines, then we do not have to have a by-election.

A by-election is not a process of absolution. A by-election is not some theological process from which somebody comes back thoroughly cleansed. It has no impact at all on the question of conflict of interest. That issue will not go away. It is the issue that is before us and to which the Premier of this province is going to have to respond. Mr. Aird cannot solve that problem and a by-election cannot solve that problem. There is only one person in a position to deal with that question, and that is the Premier.

I want to make it clear that we will sit down with Mr. Aird and discuss whatever he wants to discuss. However, I also want to make it very clear that, given the inability of this government and of this Premier to respond when guidelines have pretty clearly been broken, what we need is not simply a process of guidelines, but a law. We need a law that states clearly what the rules are, a law that sets out those rules and sets out the

consequences for breaking them. The Premier continues to talk the language of general guidelines and continues to talk very vaguely. As he has done on many other occasions, he asks a whole lot of questions and does not answer them.

The Premier has to recognize that we are all able to ask questions. Indeed, in our own caucus this morning, I do not mind saying, we discussed the general issue. However, no discussion of the general issue and no raising of 50 different questions are going to solve the problem unless we have a government that is prepared to do the difficult but necessary thing when it has to be done.

Le gouvernement a choisi de ne pas agir. Ce n'est pas une question d'élection partielle parce que ça ne résoudra rien de la question, à savoir si M. Fontaine a le droit d'être ministre dans un Cabinet duquel il a démissionné suite à son refus de déclarer ses intérêts. Ça c'est la question et c'est la question à laquelle seul le premier ministre de cette province peut répondre, et jusqu'ici, il n'y a pas répondu.

2:43 p.m.

ORAL QUESTIONS

ALLEGED CONFLICT OF INTEREST

Mr. Grossman: My question is for the Premier. Last week, after the first time my colleague the member for Sarnia (Mr. Brandt) disclosed a lot of very relevant information about the then Minister of Northern Development and Mines, the Premier was quoted as saying, "If all those things are correct, it appears to me he couldn't continue." He was referring to his minister of mines. Can the Premier tell us what was not correct in the member for Sarnia's allegations that day?

Hon. Mr. Peterson: There were a number of things that were not factually accurate. He suggested that the shares had been transferred on March 3. That is not accurate. That is when they were registered. They were transferred before that. That was just one incorrect thing in the situation.

Mr. Grossman: Would the Premier agree with me that the main thrust of the allegations made that day by my colleague was that the minister of mines held shares in one mining company—we knew about only one then—while he was minister of mines and did not disclose that fact to the public, the Clerk or the Premier, as required by the conflict-of-interest guidelines?

Hon. Mr. Peterson: It is quite clear. The facts were laid out by the minister. I recall the

sequence of last week. I referred to what I knew, what Mr. Fontaine had told me the day after, and then he made a very clear statement. The facts have all been laid out in this House.

As I understand it, one block of shares has been sold. This contentious block that we are talking about was in escrow, which he acknowledged to this House that he did not declare.

He was under the impression, I understand, that because they were in the hands of a trust company, he had no control over them and did not have legal ownership. I understand the honourable member has a different interpretation of that.

A fair-minded person such as the member would want to acknowledge that it is not as clear-cut as he would want to suggest in the situation. The member is suggesting that presumably he had something to hide. He had no control over those shares, which he acknowledged in this House.

I recognize there can be a difference of opinion, but the member would not want to characterize this as a completely clear issue, because it is not.

Mr. Grossman: In my final supplementary, I do want to clarify this as a very simple, clear, unclouded issue. That issue is very clear and simple. The minister of mines clearly owned the shares, even if he did not have day-to-day control.

If the Premier reads the minister's statement, he cannot and does not deny he owned the shares. We will find out later in the inquiry whether he controlled them. The issue is he owned them. He stood to benefit if those shares went up in value. Even the Premier cannot deny that. He stood to lose if the shares went down in value. That is what ownership is all about.

Given the fact that he has now been over Mr. Fontaine's statement of last Thursday, does the Premier believe Mr. Fontaine complied with the Premier's conflict-of-interest guidelines?

Hon. Mr. Peterson: It is quite clear that the former minister had a legal opinion that those shares could not have been transferred. The member is quite entitled to make the argument that he should have—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Peterson: The member would like a yes or no to the situation, as he always does.

Mr. Grossman: But he owned them.

Hon. Mr. Peterson: Respectfully, it is not quite that clear. He was under the impression that

he had no control over them, which he did not. They were in the hands of the trust company. There was nothing he could do with the situation. He believed he was not in a conflict, and I gather he had legal advice to that end. That was the opinion under which he was operating.

Mr. Davis: What do you believe?

Hon. Mr. Peterson: I do not know all the answers to this situation; I say that fairly. It is sufficiently grey. The House leader has referred this to a committee of the House and the Leader of the Opposition can draw his own conclusions on that matter.

If he is suggesting there is any personal benefit, I know of none. If he is suggesting there is some way he has made money out of this situation, I know of none. The honourable member may know of some. The member's detectives may know of some way he has done it. Please bring forward the information.

If the member says the minister made a technical error in not writing those down, he can legitimately make that argument, but it is a matter of interpretation. The minister understood there was no clarity on this matter. It was not an absolute black-and-white issue.

He did what I believe is the honourable thing; he resigned and made a judgement that the member is very quick and hastens to make an issue, because the member would like to hang him out if he possibly can. I understand where the Leader of the Opposition is coming from on this matter.

The minister said that technically he should have complied. There were legal arguments why he did not do so. Then he said, "Put the case to the people of Cochrane North." That was the decision he made.

Mr. Grossman: The Premier clearly has the lowest guidelines and lowest standards of conflict for his ministers of any premier in the country, bar none.

EXTRA BILLING

Mr. Grossman: My second question is for the Premier as well, with regard to one of his other difficulties and concerns.

The Premier may recall that recently it was reported that Ontario had lost two of its top spinal surgeons to the United States because of the Premier's plan to ban extra billing. At the time, the Premier said he did not see any trend and was not too concerned.

2:50 p.m.

In the fourth week of the strike, we have now learned that a third world-class—to use the

expression of the Premier—orthopaedic surgeon from the Hospital for Sick Children, Dr. Colin Moseley, has also indicated his intention to leave. There are seven on the team. Three have left in the past nine months, including Dr. Moseley. Two had been there for 16 years.

Does the Premier still contend that there is no trend and that specialists will not leave this province?

Hon. Mr. Peterson: I was not aware of the specific example the member has just raised, but I would not think that, out of 17,000 doctors, three is indicative of a trend.

Mr. Grossman: I want to ask the Premier to speak seriously for a moment. When children in this province who are suffering from spinal deformities that have been getting until now world-scale treatment from these very doctors at Sick Children's Hospital, how is he going to assess when this becomes a trend? Is he not worried? Will he not at least agree today to express his concern and say he is worried that these top-notch surgeons are no longer going to be available at Sick Children's Hospital as a result of Bill 94?

Hon. Mr. Peterson: I do not know the specific circumstances of the three doctors whom the member has pointed out. Other doctors have left this province, as he well knows, over the past several years. At the same time, a large number are coming here. I understand there are lineups of doctors from outside this country and this jurisdiction who are anxious to become licensed in Ontario.

Mr. Foulds: They cannot get internships.

Hon. Mr. Peterson: I can tell my honourable friend that we will license, I believe, something like 1,400 doctors this year in Ontario. Of these, 600 or so are products of medical schools in Ontario, about a quarter are from outside Ontario, in Canada, and the others are from around the world.

I am not happy when doctors choose to leave, but it is a free country and they are entitled to do that. It is one of the freedoms they want, obviously, and if they make those decisions they are entitled to do so.

Mr. Grossman: Surely even the Premier will have to agree and acknowledge that one does not get surgeons of the calibre we are talking about here the day they are licensed. It takes five to 10 years until they develop the kind of expertise that has attracted patients from all over the world to come to Sick Children's Hospital to get that sort of care and attention.

Since up until now children in Ontario have had their spinal deformities dealt with and resolved at the Sick Children's Hospital, and since in the future they will not be able to get much of that surgery at the Sick Children's Hospital in Toronto, is the Premier prepared to make a commitment to pay not part but rather all of the costs of travel and surgery in Los Angeles, where Dr. Moseley is currently moving, for the children in Ontario who will not be able to get it here?

Hon. Mr. Peterson: I guess the honourable member is trying to suggest that all of these doctors are motivated just by money, and I do not believe that that is the case. One of the problems, as my honourable friend will know, is that extra billing does not acknowledge the special expertise he is talking about. One does not have to have a special seniority, special competence or special merit to extra bill. Anyone can extra bill under the system, and I frankly believe it is one of the deficiencies in the system.

When we discussed the matter with the Ontario Medical Association, we recognized that there were certain special circumstances where doctors of special merit might deserve a special compensation. We are prepared to sit down and talk about exactly that situation with the OMA, but the Leader of the Opposition's approach of keeping extra billing does not address the problems he has talked about.

ALLEGED CONFLICT OF INTEREST

Mr. Rae: I have a question for the Premier about Mr. Fontaine. Mr. Fontaine says on page 3 of this statement, "I forgot to list the escrow shares." Is it the Premier's view that he should have remembered to list the escrow shares?

Hon. Mr. Peterson: There is no question I would have preferred that he had listed those escrow shares. However, the member opposite heard the honourable member's explanation. What he said was that he had had legal advice on that matter, to which I was not privy at the time. Surely the member can understand that.

Mr. Rae: How can one have legal advice about whether one should forget or remember something? I do not know what lawyer can give one advice on how to remember or forget something. Either Mr. Fontaine forgot or he took legal advice. The Premier cannot have it both ways. He said he forgot and the Premier is saying he took legal advice. We are entitled to know which it is.

Mr. Speaker: What is your question?

Mr. Rae: On page 7 of his statement, the minister said: "I am owed approximately \$13,000 by Evolution Hearst. I am also owed approximately \$50,000 by United Sawmill and René Fontaine Holdings Ltd." Is it the Premier's view he should have disclosed those two debt interests?

Hon. Mr. Peterson: I am not sure of the answer to that situation. I have the fairly simple view that everything we do should be open to public scrutiny. Everything we do has to be open. It will have to bear up to the judgements other people want to apply to it, whether it is the member for York South (Mr. Rae), the Leader of the Opposition (Mr. Grossman) or others. I have suggested to all my colleagues that the facts must stand by themselves.

Various people will draw various interpretations as to why it was done or will attribute special motives to it in the situation. Obviously, I prefer all these things to be laid out. My former colleague gave an explanation of this. I remind the member that he will have the opportunity to go into these questions at a committee hearing—it has been referred by the House leader—and to put forward any view he has on the situation.

Mr. Rae: The person of whom I want to ask questions about the resignation of Mr. Fontaine has not resigned. He is the Premier of the province. I have very direct questions for him. Since the Premier is not at all clear as to the meaning of any of the guidelines, can he tell us why he accepted Mr. Fontaine's resignation on Thursday?

Hon. Mr. Peterson: The member may or may not know that when someone resigns, one does not have the power to accept or not to accept it. That is the reality of the situation.

Let me explain Mr. Fontaine to the member. The member knows he is a man of great conscience. He felt very clearly in his own mind and heart that he had not violated any of the conflict-of-interest guidelines. That was his view of the situation. He had also gone through some attacks in this House from the members opposite and he felt his honour was at stake.

The member is asking me to cast myself in the role of judge and jury on all these matters, on all these very difficult questions. Mr. Fontaine did the honourable thing, which I think the member has to acknowledge. He resigned from this House and from the executive council to put his case before the people. If the member has a different view, he should go to Cochrane North and express how he sees the situation.

Interjections.

Mr. Speaker: Order. I will just wait.

Mr. Rae: There is no dispute with the people of Cochrane North. The issue is for the Premier, not for the people of Cochrane North. That is where the buck stops and that is where the issue lands. I know the Premier is now getting advice from three different people, from all his advisers.

Mr. Speaker: Question.

Mr. Rae: Can the Premier confirm that the witness to Mr. Fontaine's resignation is the Premier's secretary? Can he tell us what discussions he had with Mr. Fontaine last Tuesday, Wednesday and Thursday and precisely what his advice to Mr. Fontaine was during all those proceedings?

Hon. Mr. Peterson: After the discussion in this House, Mr. Fontaine reviewed his entire situation, which he shared with the members of the House. I am told he had been discussing it with his son; I believe it was on Wednesday. Obviously, he was very troubled by the situation and the allegations that had been made. The son suggested to his father that he should resign in the situation. That is where the idea came from.

When Mr. Fontaine suggested that to me, I said, "If you feel that is the honourable course in the circumstances, you will have to follow your own conscience in the matter." In his own mind, he decided to let the people of Cochrane North make the judgement on this matter. I know the member would prefer to make the judgement on this matter, as would others in this situation, but ultimately it is the will of the people of this province that predominates. Even the member has to respect that.

3 p.m.

Mr. Rae: That is the phoniest excuse I have ever heard in this House with respect to anything. It is so phoney. Can the Premier explain who in this House ever for a moment challenged the right of the then member for Cochrane North to sit as a member of this assembly? Nobody did that; not a soul did that.

Can the Premier explain how calling a by-election has anything to do with changing the guidelines or what the guidelines are? Is the Premier seriously suggesting that if Mr. Fontaine is elected as the member for Cochrane North, it will somehow give him immediate and automatic access to the cabinet when he has already admitted he broke the guidelines? Can the Premier explain the connection between those two things? What is the connection?

Hon. Mr. Peterson: This matter will be discussed by a committee of the Legislature, and the member is going to have his opportunity to put this thing forward. He obviously feels his judgement on this matter is superior to anyone else's, and he would like to attack my judgement on the matter.

Mr. Martel: You are the Premier. What is your judgement?

Mr. Speaker: Order.

Hon. Mr. Peterson: I think a fair-minded gentleman such as the member would like to acknowledge that the facts may not be as completely black and white as he sees them.

The former member for Cochrane North felt his honour was under attack, whether the member for York South knows it or not. That is the way he responded to this situation. He felt the member for Sarnia (Mr. Brandt) was attacking his personal integrity. He obviously felt it was intact, and he took what he felt was the honourable course in the circumstances. Surely the member understands that.

Mr. Rae: The Premier has made a very long statement today in which he has not at any point indicated what his responsibilities are with respect to the guidelines. Can the Premier tell us his view of his role with respect to the guidelines?

What difference does it make what guidelines exist if the Premier is not prepared to do what is necessary to see that those guidelines are enforced? What good are any guidelines if the Premier at every occasion is simply going to wash his hands and say, "It is not up to me; it is up to the people of any given constituency to decide"?

What role does the Premier see for himself in terms of what has happened to Mr. Fontaine, the orchestration of the by-election which has taken place and his continued evasion of his responsibilities as Premier with respect to conflict of interest?

Hon. Mr. Peterson: I am not sure why my honourable friend is so fearful of the judgement of the people of this province on this matter or any other. That is what democracy is all about. The former member for Cochrane North had legal advice on a number of matters. He has resigned. He has turned the matter over to a committee of this House.

The member for York South is entitled to make his own judgement; if he sees it all so simply, he should come and express his point of view. He would set himself up above the people of this province, and I would never do that. My friend

the former member for Cochrane North has acknowledged the ultimate expression of democracy. Why does the member not go to the people and make the case he wants to make?

He sees it all so clearly, but when he looks at all the circumstances and all the advice the honourable minister got, he will realize why we have to look at this situation in all of its ramifications. He thinks this matter is all so very clear. If he is ever charged with responsibility, he will know that in these matters it is not. These are not black-and-white situations. The member would want to participate—

Mr. Martel: You ignored your responsibility. Interjections.

Mr. Speaker: Order.

Mr. Brandt: The Premier for once is half right. The honourable thing for the minister to do was to resign, which he did. The dishonourable thing for the minister to do was to resign his seat, which was never at question in this House by myself or any other member of this assembly.

Is the Premier aware that a reporter had a conversation with the president of Golden Tiger? During the course of that conversation, it apparently came to pass that certain questions were raised, one of which was mining taxation for this province. The level of value of the shares and a whole series of things were discussed between the then minister and the president of Golden Tiger.

Does the Premier think that while a minister holds the portfolio for mines it is appropriate for him to have such a conversation with the president of that company?

Hon. Mr. Peterson: My honourable friend from Sarnia wants him to resign but not to resign. He wants him to resign from the cabinet but not to resign his seat. This has been put to the ultimate test, and my honourable friend is hoist with his own petard.

Mr. Harris: We want to know what you think.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Peterson: I am aware of that press report, as is the member. He will have an opportunity to call whomever he wants to call in front of a committee of this House, including whomever discussed what with whom, and to ask those questions. Then he can put his own view in this matter.

I have no idea what those private conversations were. The member has suggested they talked about the Mining Tax Act; that has been a

matter of public knowledge for a long time around here. I am sure the former Minister of Northern Development and Mines used to talk to a lot of miners about the situation.

If the member is suggesting that there was any special influence or that Golden Tiger got any special consideration, that is a very serious allegation. If he or his detectives can establish that, I invite him to do that in front of the committee or in this House.

Mr. Brandt: The Premier is very quickly taking this issue from the Minister of Northern Development and Mines and making it his own, because it is his judgement that is in question. The fact that the shares were in escrow as opposed to being in a blind trust is not at issue. The fact is, the minister did not disclose his holdings in a mining company while he held the responsibility of looking after mining interests in this province.

Why does the Premier not stand up and very clearly indicate to this House that his minister was in violation of the guidelines as they have been in this province for a good number of years and that the proper course of action was simply for the minister to stand down in his responsibilities as minister, and not try to cloud the issue by talking about the minister's personal position as the member for Cochrane North?

Hon. Mr. Peterson: My honourable friend would like it all ways. He loves to stand up and impugn the integrity of a member.

Mr. Brandt: No. I want it one way.

An hon. member: Yes; your way.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Peterson: He would like to stand up, with the help of his detectives, and cast aspersions on the honourable member and/or myself and my judgement. But he does not want to go to the people on these issues. He wants to avoid the ultimate responsibility on these matters.

Hon. Mr. Bradley: How many more private detectives are you going to hire over there?

Mr. Speaker: Order.

Hon. Mr. Peterson: My friend cannot have it both ways. If he is going to use his detectives and investigators to cast aspersions in this House, then he has to accept the consequences, which are that the people will decide, either in Cochrane North or right across the province.

Mr. Brandt: That is not the point. No one is going to ask the people of Sarnia.

Hon. Mr. Peterson: Why does the member not put his seat on the line?

Mr. Mancini: Put your seat on the line, Andy.

Hon. Mr. Scott: Ask a doctors' question; they are in the gallery.

Interjections.

Mr. Speaker: Order. There are other members who want to ask questions.

Mr. Rae: I have a question again for the Premier. By the same logic, can he tell us why the member for Oriole (Ms. Caplan) did not resign her seat and why the people of Oriole are not being consulted with respect to the allegations of conflict of interest? Which is right? Was the approach taken by the member for Cochrane North right? Should every cabinet minister against whom there are allegations with respect to a conflict of interest simply resign his or her seat? Does that somehow absolve the government of any problem? Is that the Premier's answer?

Hon. Mr. Peterson: First, it was a very personal decision that the honourable member made. The leader of the third party has some other impression, but that decision was made.

Let us go through the history of this situation. Members may recall there were suggestions of influence peddling with respect to the spouse of the former minister. That was quickly dropped, with a suggestion there was some violation of the conflict-of-interest guidelines. That was a question of a spouse, not of a member of this House. That matter was put immediately before the standing committee on public accounts.

There was a suggestion that the then Minister of Northern Development and Mines had himself violated the conflict-of-interest guidelines. He felt his honour was under attack, and he made the decision to resign. It is that simple.

3:10 p.m.

Mr. Rae: Can the Premier tell us what is his responsibility as the Premier, as the person who appoints cabinet ministers? Can he explain the statement he has made twice now—I gather he made it on Thursday, and he made it again today—stating categorically that if Mr. Fontaine were elected in the by-election in Cochrane North, he would automatically come back into the cabinet? Can he explain the logic that says somebody who is elected in a by-election automatically has access again to the cabinet right away, no matter what the violation has been of the conflict-of-interest guidelines? Can the Premier explain the logic of that view he holds? It does not seem to make any sense to anybody else.

Hon. Mr. Peterson: It makes great sense to me. The member for York South may feel his personal judgement, or the judgement of some members of his party, is superior to that of the people in Cochrane North. I do not accept that view. Ultimately, we are all accountable in that forum.

I believe my responsibility is to share all the facts in all these matters with the member for York South and all other members of the House. That has been done to the best of our ability: to invite scrutiny by the member, by anyone else, of all these facts. I accept that the member and I may differ in our interpretation of some of these matters, particularly the ones that are not clear, but ultimately all these matters will be judged by the people of this province.

I can see now what the member will say and what my friends opposite may say in this matter. Members may feel the appropriate forum to deal with these matters is a committee of this House. I think it has been dealt with in an extremely honourable way, but the member will not accept that; he will continue to stand up and make speeches. I think both ministers dealt with these questions in very honourable ways and shared all the information with the members. I do not know what more could be asked.

Mr. Pope: There is only one more thing we can ask the Premier. Last week, the Premier had to make a judgement. He referred to it today. Did the former member for Cochrane North breach the conflict-of-interest guidelines or not?

Hon. Mr. Peterson: I say to the member for Cochrane South, very frankly, he does not believe—

Interjections.

Hon. Mr. Peterson: I say it is sufficiently grey. I can see both sides of the issue very strongly. I do not think there was any personal benefit in the situation. He believed they were in escrow; he had no control over the situation. For that reason, and given the fact that his honour was under attack, he did what he did. He will let the people of Cochrane North judge that matter.

Mr. Pope: There is one more thing we are entitled to know. Last week, the Premier had to make a judgement. He has referred to it in the Legislature. Did the former member for Cochrane North breach the conflict-of-interest guidelines or not?

Hon. Mr. Peterson: I think I acknowledged last week there may have been a technical violation, and I think—

Interjection.

Hon. Mr. Peterson: That is fair enough. There may have been a technical violation in that matter, and I will acknowledge that. I said that last week. I have also said that ultimately the people of Cochrane North will have to judge on this matter: was it is a technical violation or a substantive violation?

Is the member arguing that because he did not write that down he is in conflict of interest and therefore has to resign? Is the member arguing that he benefited personally? What is the member arguing in this matter? Is the member saying the former member should be punished because he forgot to write that matter down? Let us focus on the issue. I said to the members last week that I believed he should have written it down. I wish he had. Is that grounds to have him removed from the cabinet? He made the determination that the matter should be judged by the people of Cochrane North.

RENT REVIEW

Mr. Reville: I have a question for the Minister of Housing. The tenants of Ontario need to know what Bill 51 means so they can plan their lives. Unfortunately, last Thursday the minister said that when it is passed we will be able to determine the rate by which rent will be increased in January 1987. That surely is like renting an apartment and then asking what the rent is going to be.

Will the minister confirm today that if Bill 51 is passed as it is, the \$500 rent I spoke of last week will increase, not by four per cent, which is \$20 a month, but by \$26 or \$36 or \$51 or \$78 a month, depending on which bonus he is giving to the landlords of Ontario?

Hon. Mr. Curling: The member indicated the \$500 rent. Again, let us assume he would say that \$500 rent would fall into a pre-1976 building, because it all depends on which building this \$500 unit is attached to. If it fell under the post-1975 building, it would have been increased by four per cent retroactive from August 1, 1985.

If the member had said anything about what the rate would be for 1987, the guideline that is being proposed in Bill 51 has indicated that should the inflation rate be maintained at the same level, it is possible the guideline would be in the region of 5.1 per cent. As I said previously to the member, I do not have a crystal ball to know exactly what the inflation rate will be then. What we are saying is that in passing Bill 51, and if the inflation rate is maintained, the guideline

for that specific unit will be increased by 5.1 per cent.

Mr. Reville: I think the answer to my question was yes, but I am not sure.

Mr. Speaker: Try a supplementary.

Mr. Reville: The minister's bill talks about a guideline with which we have played around, and it is called the residential complex cost index. He said that might be about 5.1 per cent. His bill requires that guideline to be known in August of the year preceding the year in which it will be applied. The minister must know today what the guideline will be for January 1, 1987. If he does not, will he not agree today to withdraw all this RCCI and building operating cost index and bring in a four per cent increase that everybody can understand?

Hon. Mr. Curling: The member said he wanted a precise answer. I would say precisely it is July 2, 1985, and not August.

Mr. Wildman: It is 1986.

Hon. Mr. Curling: I am sorry; 1986. That is the first correct interjection I have heard from the members opposite.

The four per cent the member keeps harping on is that in the past when there were rent review guidelines, they had no relevance to what the real increases were. The guidelines that will be in place are very relevant to the operating costs of how landlords operate their businesses. It has much more significance to rental units.

TRANSMISSION LINE

Mr. South: I have a question of the Minister of Energy. Now that the Kingston-to-Ottawa transmission line is proceeding, can he indicate whether local workers will be given an opportunity to participate in this Ontario Hydro project?

Hon. Mr. Kerrio: The eastern transmission line is in the very early stages of construction, and the clearing is getting under way. It is my impression, in talking with Ontario Hydro, that preference will be given to those people who register through the union halls in that area. I believe that is going to happen in the immediate future.

3:20 p.m.

ALLEGED CONFLICT OF INTEREST

Mr. Pope: I have a question to the Premier, and we are entitled to an answer. The Premier had to make a decision last week. Did the former member for Cochrane North breach the conflict-of-interest guidelines?

Hon. Mr. Peterson: I told the honourable member I think there was a technical violation. I said that three or four days ago.

Mr. Pope: In the light of the Premier's comments concerning the events following August 14, would the Premier have reappointed the former member for Cochrane North to the cabinet if he had not resigned his seat?

Hon. Mr. Peterson: I do not follow the member's question exactly. The honourable member resigned his portfolio and then, as a matter of honour, went on and resigned his seat. He felt that was the appropriate thing to do in the circumstances.

One can make the case that there was a technical violation. If the member is asking me whether Mr. Fontaine benefited from it, the answer is no: If the member is asking whether in any way Mr. Fontaine got a benefit that was untoward or put his personal interest ahead of his public interest and his public duties, in my opinion, the answer is no. The member asked me, and I am telling him.

RENTAL HOUSING PROTECTION LEGISLATION

Ms. Gigantes: My question is to the Minister of Housing. The minister is well aware of the situation at the Bonaventure Apartments, 180 MacLaren Street, in the riding of Ottawa Centre.

When the minister tabled legislation to control the loss of affordable rental housing in Bill 11 on May 5, 1986, those tenants had great hopes, but on June 3, the owner of 180 MacLaren Street received a building permit from the city to convert many of the 90 units to apartment-hotel units, for which he calculates he might receive up to \$1,200 a month in rent.

Will the minister make the provisions of Bill 11 retroactive to May 5, so the many tenants who counted on this bill to protect their tenancies will not be evicted and lose their homes?

Hon. Mr. Curling: The honourable member raised that question before. Bill 11 is before the House today for second reading. It is not my intention to make the bill retroactive.

Ms. Gigantes: Does the minister realize he has declared open season on tenants between May 5 and June 3 in the case of the Bonaventure and between May 5 and whenever the bill is assented to in the case of all other tenants?

Hon. Mr. Curling: The member is very concerned, and I know she is a very good member for her riding. I will ask her to proceed very quickly to support Bill 11 so we will have

none of these incidents happening again in the future.

STABILIZATION PAYMENTS

Mr. McKessock: I have a question for the Minister of Agriculture and Food. The deadline for applications for the red meat stabilization program was the end of June 1986. Can the minister inform me what the response was to the beef, hog and sheep programs? Also, can he inform me whether he intends to add to this list a program for backgrounder or feeder cattle some time in the near future?

Hon. Mr. Riddell: I thank the member very much for the question.

Mr. Davis: I bet you have an answer too, Jack. I bet you have it right at the tip of your fingers.

Interjections.

Mr. Speaker: Order. You may make the minister strain his voice.

Hon. Mr. Riddell: When an industry that is so important to Ontario is struggling as agriculture is at present, it is a shame the opposition parties spend so much of their time trying to discredit members of this House rather than putting some importance on the agricultural industry. I am pleased to get that kind of question from my colleague.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Riddell: The latest figure I was given was that we had around 5,000 applications for the program mentioned by the honourable member. The deadline was the end of June. I will report to the member—I hope to get the latest figure today—how many applications we received by the end of June, which was the deadline.

Mr. McKessock: The other part to that question was, is there going to be a program for backgrounder cattle some time in the future?

Mr. Speaker: That was a good supplementary.

Mr. McKessock: Relating to that, there is a considerable penalty for anybody who misses that deadline of June 30. Is the minister going to give some consideration to extending that deadline?

Hon. Mr. Riddell: Once again, we will have to see how many applications were received by the end of June. We will then make a decision about whether we are prepared to extend the deadline. We realize we were a little slow in

getting some of the application forms out. The farmers got busy seeding and therefore did not have the time to sit down to fill out the application forms. These are all matters we will take into consideration. There is a possibility we could extend the deadline, but it will depend on how many applicants were able to submit their applications by that deadline.

As far as the backgrounder program is concerned, the committee is currently striving for a backgrounder program, but we cannot get the cattlemen across the country in particular to agree about what type of program we should put in place. I understand the committee is getting very close to reaching some agreement. I hope we will have a backgrounder program in place by next year.

COMPUTER CONTRACTS

Mr. Gillies: My question is to the Premier. The Minister of Education (Mr. Conway) has indicated to me by letter that Abe Schwartz has acted on his behalf in the ministry as an adviser on computer matters since September 1985 and continues to do so even to this day. Does the Premier not think it a possibly troublesome situation that those companies going before the Ministry of Education for contracts are the selfsame companies that are being solicited by Mr. Schwartz to participate in his Exploracom project? Does the Premier not see that as potentially troublesome, if not a situation of conflict?

Hon. Mr. Peterson: The answer is no, I do not see anything the honourable member has raised as being troublesome. If he has some specific suggestions of specifics that are troublesome or of undue influence being used, I would appreciate his sharing the information with me.

Mr. Gillies: The problem we have is that the Premier refuses to bring the list of computer contracts before us until October, but the minister was kind enough at least to give us the software contracts his ministry has awarded. We find that the largest software contract given out by the Ministry of Education in the past year did go to one of the six companies that is participating in Exploracom. There are more than 1,000 computer companies in Ontario. Does the Premier not agree that this looks very strange and that he could clear up this situation by bringing forward all the contracts so members of the House could peruse them?

3:30 p.m.

Hon. Mr. Peterson: This is absolutely typical. I say to the member no, it does not look

strange to me at all. If the members opposite with their detectives have information that there has been some untoward influence, then I ask them to please bring it up. The members opposite have been sniffing around Exploracom like a puppy in heat for the past several months. They have sniffed around and made no serious allegations. They think there is something there. The members do not have anything.

If the member for Brantford has some information, let him stand up and share it with us. What he has presented in this House is remote, in my opinion, from any influence being used; yet he continues to stand up in this House and to suggest, drawing things together that are absolutely unrelated, that somebody is profiting.

Mr. Harris: The Premier has had five weeks to share the information. How long does it take him to doctor it up the way he wants to doctor it up?

Hon. Mr. Peterson: I do not think there is anything strange about it at all.

GASOLINE PRICES

Mr. Morin-Strom: I have a question for the Minister of Energy in regard to the gasoline price forums that were held across northern Ontario in the past couple of weeks. These forums were completely unadvertised in Sault Ste. Marie. I do not know about other communities.

In the Sault, the minister's representative, a senior adviser with the Ontario Ministry of Energy, stated there was the possibility of collusion among Sault dealers and that this could be a factor in the high gasoline prices and lack of competition. However, the dealers in Sault Ste. Marie have contradicted that and have said, as quoted in the Sault Star: "Gas prices are set by the oil companies in Toronto. Dealers in Sault Ste. Marie, no matter whom they work for, have no control over the price."

Will the minister tell us whether he and his ministry have been able to determine whether the collusion is among the dealers in northern Ontario or whether it is going on within the head offices of the oil companies in Toronto? Will he enforce some regulation on gas prices to see that we have some equitable prices in gasoline in the province?

Hon. Mr. Kerrio: When such questions are raised, of course, I am not able to give an answer as to whether there has been collusion among the retailers or the major oil companies. I will take that question under advisement and get back to the honourable member.

Mr. Morin-Strom: This is an issue that supposedly is being addressed by this ministry. Apparently, it has been doing studies on this issue for nearly a year to this point. The ministry has gone to the public to get input. His own ministry representative has said there is possibility of collusion among the dealers. The dealers are telling us that the prices are being set by the companies in Toronto.

What is the minister going to do to ensure that there is regulation of prices of gasoline in this province and that people have fair and equitable prices in northern Ontario?

Mr. Speaker: Order. The question has been asked.

Hon. Mr. Kerrio: The very question about major dealers was aired in a federal forum and it was found there had not been at that level. I am not prepared to say this with the question the member is raising. However, he has to accept the fact that those kinds of allegations are going to require some investigating and that in proper time I will return with an answer to him.

Certainly, we are concerned about the prices of gasoline in northern Ontario and we are addressing ourselves to the question in a major way.

LANDFILL SITE

Mr. Callahan: I have a question for the Minister of the Environment. In my community right now, an investigation is going on for a new landfill site. What triggers the environmental assessment hearing? What will be the effect if one of the sites that has been reviewed has not had testings on it?

Hon. Mr. Bradley: The question, as I heard it, related to what, in terms of the new greenfield landfill site, would trigger environmental assessment. As some members of the House who have been here for many years know, what happens now is that a greenfield site, as it is called—this is a new landfill site anywhere in Ontario that is being proposed by a municipality—comes under environmental assessment.

First, the municipality must undertake an exhaustive review of all the options available. Many of those options are various sites within that municipality. Once it has done that and has come forward with the proposal, that then goes before the Environmental Assessment Board for a final decision.

Mr. Callahan: If a site initially has been chosen and rejected, but no drilling has been done on the site, what would be the impact or

effect of an environmental assessment hearing that was called in terms of that site?

Interjections.

Mr. Speaker: Order.

Hon. Mr. Bradley: I am sorry members of the official opposition party do not consider these matters to be of sufficient importance to listen carefully to what is obviously a very good question by the member.

Unlike the Environmental Protection Act, which deals with a specific site, when a landfill site comes under environmental assessment, the Environmental Assessment Act means that those putting forward a proposal must provide alternative proposals in terms of other sites or other methods of disposing of the garbage. I know there is criticism that it is an onerous task and sometimes incurs additional costs. We believe that going through this process will in the long run provide a more environmentally sound site than not having the process.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have a question for the Premier. The Premier has indicated that the Minister of Northern Development and Mines resigned as a matter of honour. I would like to ask the Premier a simple and direct question. Had the minister not resigned, would the Premier have allowed him to remain in cabinet?

Hon. Mr. Peterson: I am not going to get all hypothetical about this or any other situation. I did not get hypothetical about the doctors' situation, when I was asked hypothetical questions every day.

Mr. Sheppard: He did not ask about the doctors.

Hon. Mr. Peterson: We had an insight over there. I was just trying to make an analogy. I know they are not easy to make. I have said there was a technical violation. He resigned from this House and from his seat. That is where the situation is at the moment; it is very clear.

Mr. Harris: The rest of the ministers need to know what the Premier's standards are, if any.

Mr. Speaker: I inform the member for Nipissing (Mr. Harris) that his colleague wants to ask a supplementary.

Mr. Brandt: The Premier indicated that this was a matter of technical interpretation, that the guidelines perhaps were not sufficiently clear or there was some foggiess with respect to how one might interpret the guidelines as they relate to this specific issue. As I understand this case, and I am getting to the question as quickly as I

can, there is a requirement in the guidelines, which is reasonably well understood in this House, that one must disclose holdings.

By admission of the former minister himself, he did not concur with or agree to what those guidelines required of him, namely, to comply by way of disclosure. Since the issue is that the minister did not disclose his holdings, would the Premier have allowed him to remain in cabinet under those circumstances had he not resigned?

Hon. Mr. Peterson: The facts have been laid out very clearly in the circumstances. I wish he had made the judgement to share that information with everybody. If the member is suggesting there was some untoward gain for him personally as a result of this, I do not believe there was. He failed to list that because he did not feel he had to list it, because it was not sufficiently clear. It is not a clear-cut question of directly owning X number of shares in a mine or Massey-Ferguson or anything else. They were in escrow. He had no control in the situation and he got advice to that effect.

The member sees it in black-and-white terms. I suggest that other people, including those who gave him the legal advice he got, do not see it in the same terms he does.

Mr. Wiseman: What about the Premier?

Mr. Davis: How does the Premier see it.

3:40 p.m.

Hon. Mr. Peterson: I told the members how I see it; I think he violated the rules technically in that regard. If the member is asking me whether there was a substantive breach, the answer is no. In making a judgement on this matter, I assume the member is asking that he be thrown out of cabinet for the rest of his life. Is that what the member is asking? He said he took it as a matter of personal honour and resigned his seat. That is where the situation is. Surely the answer to that is very clear to my honourable friend.

OCCUPATIONAL HEALTH AND SAFETY

Mr. McClellan: I have a question for the Minister of Labour. In January 1982, Dr. Annalee Yassi of the occupational health centre of the Manitoba Federation of Labour completed a study commissioned by Paul Weiler. It was a study of how occupational health and safety claims are handled by the Ontario Workers' Compensation Board. Can the minister explain why he has failed to reply to her letter of July 1985, in which she asked him to reverse the decision of the previous government, which had been to suppress this important study.

Hon. Mr. Wrye: It probably will not come as a surprise to the honourable member that I do not recall receiving a letter which, according to the member, I would have received about a year ago. It is certainly unlikely that I would not have replied to it. I am rather surprised that when no reply was received, there was not some follow-up. I will certainly undertake to the member and to the House to check into this matter. I will speak to the member privately. If we cannot locate the correspondence, I will obtain Dr. Yassi's telephone number and get in touch with her immediately.

Mr. McClellan: I appreciate that. The study is entitled Occupational Diseases and the Workers' Compensation Board in Ontario. The initial decision to suppress the document was communicated by Alan Wolfson in 1985. He is now reincarnated as one of the major saviours of the Workers' Compensation Board. I would like an assurance from the minister, not only that he will try to find the correspondence and retrieve it from the swamp, but also that he will reverse the policy of suppressing this important study, because the minister knows how badly the Workers' Compensation Board has handled health and safety claims over the last two decades, and release the report.

Hon. Mr. Wrye: My friend from Bellwoods slips into the unfortunate rhetoric of his colleague the member for Sudbury East (Mr. Martel). Part of the problem is solved by the fact that my friend from Sudbury East sends so many letters that he loses track, and then thinks of the ones he thinks he sent and did not get replies to, he thinks they were not replied to. I have indicated to the honourable member that I will look into the situation fully. It is not my view that we should withhold any matters or any studies without very good reason.

I make a commitment to the member and to the House that we will take a close look at the reason any study would be withheld. As the member knows, in an earlier situation, with Dr. Muller's study, we not only indicated that we would give out the preliminary study, but also the final study.

ROMAN CATHOLIC SECONDARY SCHOOLS

Mr. Davis: I have a question for the Minister of Education. In a recent article, Blenus Wright, assistant deputy minister with the Ministry of the Attorney General, has stated that prayers from a variety of religious traditions in public schools clearly enhance multiculturalism. It is apparent

that it is the government's direction to follow using a variety of opening exercises. In the minister's view, would this policy and direction be required of the separate school boards in this province as well?

Hon. Mr. Conway: The honourable member is quite aware of what the regulations under the Education Act provide. He will also be aware that various aspects of those regulations are now before the courts, two or three references in the province at present. He will also be aware, from his stellar performance through many months during the handling of Bill 30 by the standing committee on social development, of the practices within the separate school community.

PETITIONS

EXTRA BILLING

Mr. Hennessy: I have a petition from the Patients for Freedom in Medicine, a citizens' association founded on the principle of civil liberties, which reads as follows:

"This association believes that Bill 94, the Health Care Accessibility Act, is a violation of both patients' and physicians' civil liberties. If Bill 94 becomes law, doctors will be totally controlled by the government and health care will be totally controlled by the government. This association believes medical care should be based on medical need, not determined by government budgets.

"As a citizen of Ontario, I do not agree with this legislation and request that Bill 94 be withdrawn."

That is signed by 50 people.

Mr. Speaker: Once again, there are many unnecessary conversations.

SALE OF BEER AND WINE

Mr. Epp: I have a petition signed by 111 people. It says:

"We, the undersigned, wish to express our objection to you as our elected representative to any legislation which would exclude us in our place of employment from the opportunity to sell our customers any product simply because we are not so-called independent stores."

They are referring to wine and beer in Ontario grocery stores and they have a number of other points. They go on to say:

"This practice would discriminate against our customers, who choose to shop here of their free choice for reasons we believe we have contributed to.

"This practice would discriminate against us by encouraging our customers to shop elsewhere.

We believe we work hard and conscientiously for our customers and intend to do so for beer and wine as well as for any other products we sell, including any strictly regulated products.

"Fourth, we object to any government action which jeopardizes our jobs and earnings by manipulating free consumer choice."

EXTRA BILLING

Mr. Barlow: I have a petition signed by 30 residents of Cambridge, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"The doctors' dispute with the Ontario government is about the following: the freedom to practise medicine without government interference, the freedom to protect patients from government interference in health care and the freedom from government conscription.

"We, the undersigned, would like to support our doctors in protesting Bill 94."

Mr. Jackson: I have several hundred signatures on a petition, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We strongly oppose the unilateral actions of the Liberal government of Ontario, which have created an atmosphere of adversarial confrontation with the health care providers of this province.

"We deplore the disruption of our world-renowned system of private and public health care by the imposition of a state-controlled health care system.

"We, therefore, respectfully petition the government of Ontario to begin immediate and meaningful consultation with the health care providers of this province in a manner that will sustain the quality and excellence of health care for the people of Ontario."

SPECIMEN COLLECTION STATION

Mr. Harris: I have a series of 60 or 70 letters, which I am interpreting as a petition. They read as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, with particular reference to the Minister of Health:

"I am an employee of the North Bay Civic Hospital. It is my understanding that new private medical laboratories will be opening up in our city soon. I would like to support the hospital for a specimen collection station. I am a voter and a taxpayer. We are asking for your support to keep the jobs in the north.

"Hoping for your kind consideration,

"Thank you. Yours truly."

I have 60 of these letters which more or less say the same thing. I have been asked to refer them to the Lieutenant Governor in Council.

NATUROPATHY

Mr. McGuigan: I have a petition, which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

3:50 p.m.

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr1, An Act respecting the Ontario Association of Speech-Language Pathologists and Audiologists;

Bill Pr9, An Act respecting the St. Elizabeth Home Society Act;

Bill Pr10, An Act respecting the Empire Life Insurance Company;

Bill Pr16, An Act to revive Alliance Française de Toronto.

Your committee begs to report the following bill, as amended:

Bill Pr17, An Act respecting the City of Cornwall.

Motion agreed to.

MOTIONS

COMMITTEE SITTING

Hon. Mr. Nixon moved that the standing committee on government agencies be author-

ized to meet following routine proceedings on Thursday, July 3, 1986.

Motion agreed to.

ALLEGED CONFLICT OF INTEREST

Hon. Mr. Nixon moved that the matter of René Fontaine's compliance with the conflict-of-interest guidelines be referred to the standing committee on the Legislative Assembly for review and report to the assembly without delay.

Motion agreed to.

INTRODUCTION OF BILLS

FAMILY LAW AMENDMENT ACT

LOI MODIFIANT LA LOI SUR LE DROIT DE LA FAMILLE

Hon. Mr. Scott moved first reading of Bill 111, An Act to amend the Family Law Act.

L'hon. M. Scott propose la première lecture du projet de loi 111, Loi modifiant la loi de 1986 sur le droit de la famille.

Motion agreed to.

La motion est adoptée.

Hon. Mr. Scott: This bill is introduced to eliminate a short delay that has arisen under the act passed in the early spring in the payment of death benefits to surviving spouses by insurers and pension and other plan administrators. This bill will permit the immediate payment of life insurance and other benefits upon death. It will amend the recently passed Family Law Act to provide that if the surviving spouse elects to receive an equalization or net family property under the act, any death benefits paid to the surviving spouse unofficially are to be credited against the surviving spouse's equalization payment.

In addition, the amended act will provide that if a surviving spouse receives death benefits that are in excess of the equalization payment, the deceased spouse's personal representative may recover the excess amount for the surviving spouse.

In addition, the proposed bill contains a few minor housekeeping amendments with respect to insurance and pension-plan proceeds. The purpose of all these amendments is to clarify the original intention of certain provisions of the act.

It is our hope that the House will be able to give effect to this amending legislation before the House rises, because it will be useful for people who suffer some real distress and real need.

UNIVERSITY OF ST. JEROME'S
COLLEGE ACT

Mr. Epp moved first reading of Bill Pr26, An Act respecting the University of St. Jerome's College.

Motion agreed to.

ORDERS OF THE DAY

FOREIGN ARBITRAL AWARDS ACT

LOI DE 1986 SUR LES SENTENCES
ARBITRALES ÉTRANGÈRES

Hon. Mr. Scott moved second reading of Bill 98, An Act to Implement the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

L'hon. M. Scott propose la deuxième lecture du projet de loi 98, Loi concernant la mise en oeuvre de la Convention de l'Organisation des Nations Unies pour la reconnaissance et l'exécution des sentences arbitrales étrangères.

Hon. Mr. Scott: Today I have the pleasure of moving second reading of this bill, which will be of benefit to people in Ontario who have any business outside Canada, whether as importers or exporters. The Foreign Arbitral Awards Act, which I am presenting for second reading, will help make the arbitration clauses in international business contracts more effective.

The proposed act will implement in Ontario a United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards, now that Canada has acceded to the convention. The United Nations treaty, known familiarly as the New York convention because it was signed in New York, provides for simple procedures to enforce awards arising from international arbitrations.

Implementing the New York convention will provide a simple and fast way of enforcing foreign arbitral awards in Ontario. Similarly, Ontario businesses will be able to take arbitral awards made here and enforce them in other states that are parties to the convention.

The proposed act will also permit parties to an international arbitration agreement to have an Ontario court suspend a lawsuit brought in breach of an agreement to arbitrate, so that the parties that have agreed to arbitrate will be compelled to go to arbitration.

The federal government has already acceded to the New York convention on Canada's behalf, since all provinces have agreed in principle to pass implementing legislation, and some have already done so.

The convention takes effect 90 days from notice of accession. Our Foreign Arbitral Awards Act, the bill before the House, will not come into force until Canada's accession to the treaty is effective.

In committee of the whole House, I will be making a series of motions to broaden the application of the bill, essentially by removing what is called the reciprocity requirement. Further consultation with our colleagues in other provinces and in the federal government has persuaded me that the trend in Canada and abroad is away from reciprocity in such matters and that the apparent superficial advantages of reciprocity are more theoretical than real or practical.

Mr. O'Connor: Explain them to us.

Hon. Mr. Scott: The jurisdictions in Canada that have passed implementing laws have not required reciprocity, except Saskatchewan, which may propose an amendment. I know of no other that intends to require it.

This is a good opportunity to help bring Canada's international commercial practices in line with that of all its major trading partners. Canadian businesses have said they have lost international contracts because any arbitration award arising out of them could not have been enforced here under the convention. To keep our businesses competitive, they should have the benefit of the convention. By passing this act, we will be doing our part in giving them that benefit.

The member for Oakville (Mr. O'Connor) challenges me to explain the reciprocity provisions, which I will do if requested in committee of the whole House.

Mr. O'Connor: I rise to add some comments to this debate with respect to Bill 98, An Act to Implement the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

I note that this bill is introduced as a reciprocal, complementary bill to an act introduced in the House of Commons on May 7, 1986, to give effect to a United Nations convention in this area.

At the request of the then Minister of Justice for Canada, the Honourable John Crosbie, our House is being asked to pass similar legislation, as are all houses across Canada, in order to implement fully the provisions of this treaty as it relates not only to matters within the jurisdiction of the federal parliament, but also to matters which, under our Constitution, are within the jurisdiction of the provinces. Thus, I rise to support, generally, the provisions of this bill.

4 p.m.

From the remarks of the Attorney General, I note he intends to introduce certain amendments in committee of the whole House, particularly with regard to the necessity or otherwise for making this bill reciprocal with other nations. Within the terms of the bill itself, he was challenged by myself, as he noted, to explain the arguments for and against the necessity for reciprocity terms, and he indicated that he would do so at a later time. However, because he has neglected to do so at this time, I feel it falls to me to delve into this area and to explain fully the rationale both for and against this very interesting, important debate to all the members of this House who are here in their seats in great numbers.

The purpose of Bill 98 is to enable us to implement, as I indicated, the United Nations convention on the recognition and enforcement of foreign arbitral awards. This will facilitate the enforcement in Canada of commercial arbitration awards made in other nations, as is now not the case. The result will be to strengthen the ability of Canadian businesses to request arbitration agreements in their international contracts, which again is not now the case in Canada. That is, Canada may be subject to foreign arbitral awards made in other nations by tribunals conducted in other nations; however, we do not have similar provisions here in Canada to assist our businesses trading internationally.

The substance of the bill is that its effect will be to adopt the New York convention, as I have indicated. It is approved and declared to have the force of law in Canada during such period as, by its terms, the convention is in force. The act further specifies that the convention applies only to differences arising out of commercial legal relationships, whether or not they are contractual.

Further, the bill applies to arbitral awards and arbitration agreements, whether made before or after coming into force of both Bill 98 and Bill C-107, which as I indicated is the federal statute in this same area. Thus, upon the passage of this bill and the complementary bills across the country, awards made in other jurisdictions by other arbitrators in the past will be able to be enforced simply and easily here in Ontario and throughout Canada. It is not therefore intended to apply only to arbitration awards made after the date of the passage of this bill.

Further, the bill seeks to recognize and enforce arbitral awards. The procedure for this is a very simple one. Application may be made to the

Federal Court in the case of awards made under Bill C-107, or to any superior, district or county court in the case of awards made under Bill 98.

By way of some brief background, I would comment that arbitration has many advantages over litigation in the resolution of commercial disputes, especially where they involve parties from different states. Traditionally, the route followed was an extremely complicated, convoluted one whereby the first order of business in any type of litigation between two commercial enterprises, whose home countries were different and whose home systems of law perhaps were quite different, was to sort out the jurisdiction of which court would be in charge of determining the dispute that had arisen between them; whether the dispute should be adjudicated under the provisions of the laws of Canada, Ontario, Britain, one of the European countries or whatever. That process often took as much or more time than the resolution of the dispute itself. However, that process will be significantly shortened and overcome by the passage of this and the complementary bills across this country.

Canadian businesses, which have not been in a strong position to request arbitration agreements in their international contracts, will now be much improved in their positions in this regard. They can now assure their business partners that foreign arbitral awards will be readily recognized and, more important, enforced here in Ontario and in Canada.

The New York convention, to which I have alluded, provides the means by which arbitral awards made in one nation may be readily enforced in another nation. By acceding to the convention, Ontario and Canada would be on an equal footing with all our major trading partners.

The convention was adopted by the United Nations Conference on International Commercial Arbitration in 1958. As of January 1, 1986, 69 countries around the world were parties to the convention. Interestingly, until the statutes are passed across the country, Canada is the only industrialized nation that is not a party to this convention.

As I have indicated, this legislation, together with similar federal and provincial statutes, will make it easier for Canadians wishing to conduct business.

The list of countries that are already members, of which the total is 69, is impressive, interesting and important because of the fact that it includes virtually all the countries of the free world. It includes all our major trading partners and most of our lesser trading partners.

How it has come to pass that the Canadian government has not seen fit until now—that is, until the recent election of the Progressive Conservative government—to implement the terms of this very reasonable and rational statute and convention is somewhat beyond me.

Notwithstanding my support and our party's support for the bill generally, as I indicated, I have some reservations with regard to some of the provisions of the bill, particularly in the area of what I think I know to be the amendments the minister intends to introduce during the committee of the whole House stage.

We have been presented with a series of amendments. I presume the minister will be moving those at that time, although, of course, he is free to amend or move, or otherwise, the amendments at that time. Presuming he intends to proceed with them, the major thrust of the majority of the amendments deals with the question of reciprocity.

In that area, because the minister has not seen fit at this time to explain to this House and to all those interested members who are listening attentively to each and every one of my words, I will proceed to provide some information and perhaps the arguments both for and against the necessity for amendments to delete the requirement for reciprocal arrangements before the bill can come into force.

As the bill is drafted, it provides that Ontario's awards would be enforced only if the nation or jurisdiction with which the Ontario businessman was doing business had adopted the provisions of the New York convention. If they had not, then we are not apparently willing to enforce the provisions of any arbitral award made in a country where such adoption had not been undertaken.

However, the amendments that I presume the minister intends to introduce would have the effect of deleting those sections and thus allowing us to enforce foreign arbitral awards made in jurisdictions that had not joined the convention.

4:10 p.m.

On this point, the then federal Minister of Justice, the Honourable John Crosbie, has written a letter to our Attorney General—who has kindly provided copies of it to myself and I believe to some other members of the House—in which this whole question of reciprocity is canvassed. I must state that it is a very learned treatise indeed that has been developed by Mr. Crosbie. He must have stayed up nights working

on this paper, doing his research and studying the issue thoroughly.

In the true fashion of lawyers and with a tactic commonly and often used by lawyers to make their case most effectively, he first of all states the problem, which is obvious, and the decision that has to be made. He then goes on to give the reasons why we formerly adhered to a necessity for reciprocal arrangements before we would introduce such legislation or where we took the position that upon introduction of such legislation it must be reciprocal with other nations. He makes two very soft or weak arguments for that position and then, having set up the straw man, proceeds in some seven or eight pages of argument to knock them all apart and come to conclusion that he was quite correct in his latter approach rather than adopting the argument set out in the initial parts of his letter.

The arguments made generally for advancing reciprocity provisions are two. The first is to give Canadians equal protection with their foreign counterparts. The second is to ensure recognition of Canadian sovereignty by giving foreign judicial process effect here only if Canadian process is accorded equal treatment in that foreign country. He then comments that, in his view, neither motive survives examination in the context of international commercial arbitration.

With regard to the question of giving Canadians equal protection with their foreign counterparts, he goes on to make the argument against that position as to why it no longer is thought to be a valid position or no longer thought to hold water here in Canada. He says:

"On first impression, it may seem unfair to enforce an arbitral award in Canada against a Canadian in circumstances in which the Canadian would not have recourse to similar rules to facilitate enforcement of an award against any party in another state." On first blush, that argument seems to have some validity.

Hon. Mr. Scott: That is what Mr. Crosbie says.

Mr. O'Connor: Mr. Crosbie says that. I have indicated that is his argument, but his technique is to set up the argument in a rather wishy-washy fashion and then look good knocking it all apart.

He goes on to state:

"However, a reciprocity clause does not ensure protection from such disadvantage. This is because under the convention, the only criterion for granting reciprocity is that the award was made in a contracting state. The place where the award is made is not necessarily the same as, and in international commercial arbitration usu-

ally is not, the place where the parties to the arbitration carry on business or have their assets."

However, he points out his argument against that position:

"The important point is that the site of international commercial arbitrations generally has no relation to the parties, their businesses or their assets. Parties choose arbitration sites arbitrarily or because of a particular site's procedural rules, the expertise or neutrality it can offer, its language, its location or simply its ambience."

I suspect the latter is often a very significant factor; southern climes during winter months and cooler climes during summer months may just be a governing factor in deciding between international companies as to where they want to spend two or three weeks or months deciding this dispute that has arisen between them on a multimillion-dollar contract.

The minister goes on to point out, "The flexibility and privacy of arbitration allow this, but also tend to undermine the reasons for granting reciprocity, based on the award having been made in a contracting state."

With regard to the second argument, that it is necessary to ensure recognition of Canadian sovereignty by giving foreign judicial process effect here only if Canadian process is afforded equal treatment in the other jurisdiction, the minister similarly makes an argument in favour of that but then proceeds to tell us why it no longer holds water. He indicates:

"The award from such a process, having no real connection to the site, is not an exercise of the power of the state where the arbitration was held. Therefore, in granting reciprocity where the other side may not have done so, Canada is according no particular recognition to the host country in enforcing the award, as it would if it were enforcing a foreign judgement rendered by a foreign court when recognition in return is not required. Moreover, in an arbitration, the parties select the arbitrators themselves, who are not in the same position as judges appointed by a foreign government. There is no link between the arbitrators and a particular government, and there is no interest in the proceedings on the part of the government in the state where the award was made."

By way of general comment, it might be pointed out that arbitration is a private sector dispute mechanism that is carried on with little cost to the courts of the state where it is practised. In resolving the dispute itself, under this scheme

there would be no cost whatsoever to the courts in the state where the matter is adjudicated, because there is no resort to the courts and the use of court space, judges' salaries, court personnel, filing mechanisms of courts, etc. It is done privately between two consenting companies or two consenting jurisdictions that have agreed simply to appoint their own arbitrator and to sit to resolve the dispute that has arisen between them.

The only cost, theoretically, that might be involved in this process is the cost that might be associated with the enforcement of any arbitration award that is then made, should that award adversely affect a Canadian company. The side that had won the dispute would want to avail itself of the enforcement provisions allowed under the bill; that is, a simple filing of their judgement with an appropriate court to permit them to avail themselves of the enforcement rights that any citizen of Ontario or Canada has after having obtained judgement from a court in our jurisdiction.

There would be some cost involved in that process; there are fees levied against people making these filings and fees required of them to sheriffs and other personnel in the system who are actively involved in the enforcement of the judgement by way of the seizure of assets, by way of cross-examination of judgement debtors, etc.

It is to Canada's advantage to establish an open system of international commercial arbitration to attract arbitration business. Canada is well situated to provide arbitration facilities to foreign businesses dealing with the United States or other countries. As I indicated before, there is some benefit to entering into this convention purely from the point of view that Canada is a very desirable locale for persons to want to come and resolve their disputes.

4:20 p.m.

I believe the British Columbia government has fulfilled its intention to set up an arbitration centre in connection with the Expo 86 site. That was opened in the initial stages of Expo 86. As we all recognize, Vancouver is a very pleasant city in terms of climate and available facilities. It can well be seen that foreign companies wishing to take two or three weeks to resolve a dispute that has arisen between them will want to make use of those pleasant facilities to do so. In that way, Canada will benefit from the foreign dollars that will be spent here by the parties, not only on their personal services and accommodation while here but also for the use of our facility, for which we would extract some rent or fee.

On balance, as is argued by the federal Minister of Justice, the reciprocity sections of the bill are no longer necessary and our party therefore will agree with the minister should he move those amendments in the hearing of this bill in committee of the whole House. We will perhaps comment at that time but none the less will agree that ultimately those sections should be eliminated.

There is one other provision of the bill I will comment on and about which I have some reservations. Of the countries that have adopted the New York convention, of which there were some 69 at the beginning of this year, one is South Africa. I have some concerns in this regard because of the current political situation in South Africa. We all remember the recent visit of Bishop Tutu and the resolution of our House with regard to actions that should be taken in terms of trading with South Africa.

I have some concern about the resolution of disputes between Canadian and South African companies that might arise over business dealings that occur between them. I recognize it is perhaps not possible to make an amendment to the bill to delete South Africa. We cannot determine or govern whether it wishes to be a party to the New York convention. It is not within our jurisdiction or the federal government's jurisdiction to do anything about that.

In regard to Canadian companies doing business with South Africa that become involved in a dispute with South Africa, can we effectively prohibit it from carrying the dispute to arbitration in some other country's facilities and have an unfavourable judgement such that South Africa would be in a position of wanting to force a judgement against a Canadian company here in Canada?

I hope the federal government and this government will adopt as a matter of public policy a situation where they will not recognize a foreign arbitral award made in favour of a South African company and will refuse to enforce an award against a Canadian company. That question might seem unfair to South Africa, but in the light of circumstances there and in the light of that country's dedication to a policy of apartheid, as a policy we should have nothing to do with South Africa by way of trading with that country. That is a position that is being taken universally throughout the British Commonwealth, except with regard to Mother England, unfortunately, but it seems it is being dragged kicking and screaming towards that position and perhaps will adopt it in the near future.

If we are serious about sanctions against South Africa and if we are serious about doing what we can to resolve the horrendous human rights situation existing there, I suggest a small step for this government would be to declare officially as a policy that it will not permit our courts and our court system to be used to enforce foreign arbitral awards of victorious South African companies against Canadian companies in these processes.

These are some of the concerns that I have with regard to this bill and that our party harbours with regard to this bill. We urge the government to bring forward the amendments the minister has indicated. He can expect support for them from this quarter. I also urge him to take seriously the comments with regard to the South African situation. Subject to those concerns, we will be supporting the bill. I thank the House for the opportunity to make these remarks on it.

Ms. Gigantes: I rise on behalf of the New Democratic Party caucus in the Legislature to say we will support this bill and the amendments proposed by the Attorney General.

Not having been engaged myself or known anybody who has ever been involved in international contracts of the nature that would fall under this act, I feel somewhat innocent in the area of arbitral awards and the acts that pertain thereto. One almost feels like saying "I am from Missouri" in this kind of question. I do not think anybody in our caucus has much experience with these matters.

I am sure there are people in the riding of Ottawa Centre and in other ridings around Ontario who will be most gratified by our decision to accede to the United Nations convention and to join the federal government in its implementation here.

The one thing that makes me a little concerned is the rush of the legislation in this area. We are dealing with a convention on the recognition and enforcement of foreign arbitral awards which was drawn up in 1958. Having waited 28 years, I do not know why we are rushing into this right now in a sitting in which we have many urgent matters to address before we rise, I hope, for a bit of summer recess.

My suspicions and concerns on this subject are somewhat alleviated by the understanding that the Canadian accession to the convention will become effective 90 days from May 12, 1986, when it was passed at the federal level.

I should mention my personal gratitude to the member for Oakville, who has so clearly and elaborately described the bill before us and the many benefits and possibilities we should look at

in terms of reciprocity and nonreciprocity and so on. It was most helpful to me.

I was a bit concerned by his suggestion that when it comes to a foreign arbitral award given in Canada against a Canadian company in dealings with a South African company, we should not recognize such an award.

Mr. O'Connor: Reverse it.

Ms. Gigantes: Reverse it, if the member will, but it seems to me that would be to give a kind of reward or bonus to Canadian companies that were dealing with South African companies. If an award were made against them, we would not recognize it.

It seems to me that is the exact opposite of what the member intended in what he had suggested for us as a policy position vis-à-vis South Africa and South African companies. He would be wiser to address himself frontally to the development of policy on economic sanctions so we would not have any Canadian companies doing business in South Africa when the South African regime is carrying on a policy, as it is, that is abhorrent to the people of Ontario and of Canada.

Hon. Mr. Scott: I am grateful for the support this bill has received from all honourable members in the House so far today.

I should make a short statement about the reciprocity provision. Notwithstanding that Mr. Crosbie's letter was read to the House for the record, I am not sure it is entirely clear. I will also make a remark about the position of a South African award.

4:30 p.m.

First, let me make it plain that the reciprocity or no-reciprocity provision has nothing to do with a South African award. The reciprocity provision is found in the printed bill in subsection 1(1) where "foreign arbitral award" is defined as meaning "an arbitral award made pursuant to an international arbitration agreement and made in the territory of a contracting state other than Canada."

As the member for Oakville pointed out, an award could be made enforceable with a reciprocity provision simply by selecting the place where the award was made. If Brazil was not a contracting state, it could get its award enforced here, but we not there if it went to Geneva to have the award made. As Mr. Crosbie pointed out in his letter and as has been pointed out by other experts, upon reflection, reciprocity did not offset the disadvantage that was perceived to be present. As a result, we propose to follow the

lead of Canada and the other provinces and ask the House to pass a series of amendments, almost all of which will deal with the reciprocity provision.

With respect to South Africa, the convention at the back of the printed bill in the form of a schedule includes article V.2(b), which provides that "recognition and enforcement of an arbitral award may also be refused"—by the court of competent jurisdiction—"if the competent authority in the country where recognition and enforcement is sought finds that (b) the recognition or enforcement of the award would be contrary to the public policy of that country."

That will give some but not total relief to the member for Ottawa Centre (Ms. Gigantes) in the sense that it would not of necessity prevent our courts from enforcing any award from South Africa, but would undoubtedly permit our court to refuse to enforce any award founded between the contracting parties, or one of them, on a practice or procedure such as apartheid, which is contrary to the public policy of this country. That is the purpose of that provision in the convention. I have little doubt it would be so understood by our courts.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Projet de loi déposé au comité plénier.

House in committee of the whole.

La Chambre en comité plénier.

FOREIGN ARBITRAL AWARDS ACT

LOI DE 1986 SUR LES SENTENCES ARBITRALES ETRANGERES

Consideration of Bill 98, An Act to Implement the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

Étude du projet de loi 98, Loi concernant la mise en oeuvre de la Convention de l'Organisation des Nations Unies pour la reconnaissance et l'exécution des sentences arbitrales étrangères.

Hon. Mr. Scott: As a matter of convenience with respect to subsection 1(1), we intend to strike out the definition of "contracting state."

Mr. Chairman: Rather than indicate what the changes are, just give—

Hon. Mr. Scott: The section numbers?

Mr. Chairman: Yes. Thank you.

Hon. Mr. Scott: There are three definitions I propose to deal with in subsection 1(1). This bill was drafted by the Conservatives.

We intend to ask the House to defeat section 5. We will be calling for a vote on that. We have amendments to subsection 7(2) and to section 9 and we intend to ask the House to strike out the schedule.

On section 1:

Mr. Chairman: Hon. Mr. Scott moves that subsection 1(1) of the bill be amended by striking out the definition of "contracting state."

Hon. Mr. Scott: Perhaps I should tell the House at this time that all the amendments to subsection 1(1), with the exception of the amendment to the definition of "international arbitration agreement," together with the deletion of section 5 and of the schedule, arise from the proposal not to apply the convention in reciprocal fashion. The amendment to the definition of "international arbitration agreement," to which I will come shortly, clarifies the intent that the international element must appear in the overall relationship between the parties.

The amendment to subsection 7(2) clarifies its application to awards actually recognized under the act. The amendment to section 9 adopts the language of the Arbitrations Act.

Mr. O'Connor: The gratuitous comment the Attorney General made about the bill being drafted by the Tories is not factually correct. Inadvertent as he might be in his submission in that regard, its number indicates quite clearly that it was drafted by the Liberal government well after it took office.

Mr. McClellan: Why is there a need for 400 amendments then?

Mr. O'Connor: That is exactly my question. I could have left it to my friend.

Perhaps the minister can explain to us how the bill saw the light of day in such a form. Being a bill relatively short and to the point and being done at the request of the federal government, why does it suddenly require a series of amendments that are lengthy and take up some 40 pages? Can the Attorney General explain how that came about and why we could not have done it in a straightforward manner in the first place?

Hon. Mr. Scott: That is such a cantankerous attitude.

Almost all the amendments, except three, are a result of the fact that we have decided to move from reciprocity to nonreciprocity at the urging of the government of Canada. As a result, the amendments are necessary. That is the reason.

I am sorry. I was mistaken that this bill was drafted by the previous government. I intended to allow the previous government, now splayed on

the opposition benches, to take some credit for it, but the credit is clearly undeserved and I withdraw it.

Motion agreed to.

4:40 p.m.

Mr. Chairman: Hon. Mr. Scott moves that subsection 1(1) of the bill be amended by striking out the definition of "convention."

Mr. O'Connor: On a point of order, Mr. Chairman: Going back to the previous one, do we not have to pass each of the subsections in French as well as in English or is it sufficient to do it only in English?

Mr. Chairman: I am advised that it is deemed to be done in French when it is done in English.

Mr. O'Connor: We ran into this situation before one of the committees with respect to another bill where, in some cases, the French translation was slightly different to the meaning in English. It was required, therefore, to do it in both cases. I do not wish to hold up the proceedings of the House in any way, but I want to see it done correctly.

Mr. Chairman: I understand it is deemed and presumed that the French is the same as the English and that the legislative counsel will ensure that. Certainly, far be it from the chairman to decide for you whether the French is exactly the same as the English.

Hon. Mr. Scott: I intend to move all those sections that have to be moved in French, but as the member for Oakville should surely recognize, and he has been here a year now, one does not have to read in both languages an amendment which strikes out a section. If we strike it out of the English, it is thereby struck from the French.

Motion agreed to.

Mr. Chairman: Mr. Scott moves that the definition of "foreign arbitral award" in subsection 1(1) of the bill be amended by striking out "international" in the second line and by striking out "in the territory of a contracting state other than" in the third line and inserting in lieu thereof "outside."

Motion agreed to.

L'hon. M. Scott: Je propose que la définition de "sentence arbitrale étrangère" au paragraphe 1(1) du projet de loi soit modifiée par substitution, à "internationale dans le territoire d'un Etat contractant autre que le" aux deuxième et troisième lignes, de "à l'extérieur du."

Mr. Chairman: I am not sure whether the minister read the third one in French or the fourth one he intends to move. At the end of the first

sentence, was it "de sentence" or was it "convention."

Hon. Mr. Scott: I read the French translation of the English motion, replacing "international" and "in the territory of a contracting state other than."

Mr. Chairman: For the sake of the chair, you are reading your fourth amendment in French rather than English? Correct?

Hon. Mr. Scott: No, I read it in English.

Mr. Chairman: Is this the third one over again in French?

Hon. Mr. Scott: Let me put it this way. We have moved and passed the new definition of "foreign arbitral award" in English. I moved the new definition of "foreign arbitral award" in French.

Mr. Chairman: That is not necessary, because it is carried automatically in French after it is carried in English.

Hon. Mr. Scott: I am grateful for that, but I was challenged.

Mr. Chairman: No, the member for Oakville's point of order was not in order.

Mr. Scott moves that the definition of "international arbitration agreement" in subsection 1(1) of the bill be amended by inserting after "agreement" in the second line "in respect of a legal relationship."

Mr. O'Connor: Would the minister explain why that wording is necessary? I am sorry, I genuinely do not understand. I believe similar wording is not contained in the federal statute where it is not required to be an arbitration agreement in respect of the legal relationship.

Hon. Mr. Scott: I am advised that the purpose of this amendment to the definition of international arbitration agreement is to clarify the intent of the definition that the international element must appear in the overall relationship between the parties and not merely in their simple agreement to arbitrate. Whereas the agreement to arbitrate might give rise to a legal relationship, what is contemplated is that there be reference to a broader legal relationship than simply the agreement to arbitrate.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 4, inclusive, agreed to.

On section 5:

Hon. Mr. Scott: I am asking the members of the House to defeat section 5.

The Deputy Chairman: Shall section 5 stand as part of the bill?

Some hon. members: No.

Section 5 withdrawn.

Section 6 agreed to.

On section 7:

The Deputy Chairman: Hon. Mr. Scott moves that subsection 7(2) be struck out and the following substituted therefor:

"7(2). A foreign arbitral award recognized by the court binds the persons as between whom it was made and may be relied on by any of those persons in any legal proceeding."

Motion agreed to.

Section 7, as amended, agreed to.

Section 8 agreed to.

On section 9:

The Deputy Chairman: Hon. Mr. Scott moves that section 9 of the bill be struck out and the following be substituted therefor:

4:50 p.m.

"9. This act applies to an arbitration to which Her Majesty is a party."

Motion agreed to.

Section 9, as amended, agreed to.

Sections 10 and 11 agreed to.

The Deputy Chairman: Shall the schedule stand as part of the bill? It appears that the schedule does not stand as part of the bill.

Section 12 agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Scott, the committee of the whole House reported one bill with certain amendments.

THIRD READING

TROISIÈME LECTURE

The following bill was given third reading on motion:

Motion adoptée pour la troisième lecture du projet de loi suivant:

Bill 98, An Act to Implement the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

Projet de loi 98, Loi concernant la mise en oeuvre de la Convention de l'Organisation des Nations Unies pour la reconnaissance et l'exécution des sentences arbitrales étrangères.

RENTAL HOUSING PROTECTION ACT

Hon. Mr. Curling moved second reading of Bill 11, An Act respecting the Protection of Rental Housing.

Hon. Mr. Curling: Bill 11, the Rental Housing Protection Act, is designed to preserve Ontario's affordable rental stock while the government's long-term housing policy has a chance to take effect.

As this government has noted from the very start, there has been a growing need to provide greater protection for tenants faced with the loss of their homes because of demolition, conversion and the luxury upgrading of rental dwellings. Because of years of neglect of the rental sector by the former government, an increasing number of landlords have been tempted to increase the profits from their properties by these various methods.

A 1985 report by the Canada Mortgage and Housing Corp. indicated that more than 5,000 units were lost in recent years in the city of Toronto alone. Tenants in many of the larger urban areas of the province have faced increasing fear and uncertainty. It is difficult for people turned out of their homes to find alternative accommodation when vacancy rates are less than one per cent. The Rental Housing Protection Act will provide a breathing space while the pressures for demolition, conversion and luxury upgrading are reduced through our rent review and housing supply initiatives. The legislation is, in large part, a response to municipal requests for broader controls.

Under the bill above, demolitions, conversions and renovations involving the eviction of tenants will require the approval of municipal council in order to proceed. The sale of units in profit or rented co-op buildings will also require municipal approval.

This system will not apply in municipalities with a population of 25,000 or fewer unless the municipality is designated as having a rental housing shortage. The municipalities in which the system is in effect will be listed in the regulation made under the act.

We will be consulting with local councils and other interested parties in order to be able to respond to local housing situations that may arise around the province. There will also be an exemption for buildings of six or fewer rental units. Our research indicates that the six-and-fewer category has not been a major problem in conversions and other activities.

We believe the exemption of smaller buildings will also help to minimize the administrative burden for municipalities without substantially affecting the province's supply of rental housing.

I should mention that all condominium conversions will require municipal approval under

the legislation. Local review of condominium proposals is a necessary part of the approval process under the Condominium Act. As I have indicated, a rental owner will have to receive municipal approval to demolish a rental building to convert it to another use or form of tenure or to renovate it so extensively that vacant possession is required.

Sales of the units located in a profit or rented co-operative building will also require municipal approval. However, the sales of units occupied by the vendor or by his or her family and units originally purchased prior to June 30, 1985, will be exempt from this requirement.

The concern that has been raised regarding conversion to apartment hotels is addressed by this legislation. Such conversions will require municipal approval under the act.

When a council receives an application under the Rental Housing Protection Act, it will be able to give its approval only if the following criteria are met:

Where the proponent has provided a satisfactory accommodation for the current tenants, has provided new rental housing stock at the same price in the same area or where, in council's opinion, the proposal does not adversely affect the availability of affordable rental housing or in the case of demolition or renovation that does not meet the first two criteria, council may approve if the building is found to be unsafe.

Before a decision is made on any application under the act, all of the affected tenants will have to be notified. A public meeting will also have to be held by council to inform the public about the application and to give all interested parties an opportunity to make their views known.

Under the general delegation of authority in the Municipal Act, the council may assign the conduct of this meeting to a committee of council, but the actual decision on an application will be made by the full council on the committee's recommendation.

The council's decision, either to approve or to reject the application, may be appealed by any party to the Ontario Municipal Board. If the council fails to make a decision within 30 days, the applicant can request that the matter go to the municipal board for a decision. The municipal board will have the same authority as the council and will be bound by the criteria set out in the regulations. The procedures normally applicable to board hearings will apply.

5 p.m.

When the municipal board has reached a decision, any party to the hearing will have the

right to petition the decision to the Lieutenant Governor in Council. Cabinet will have the authority to accept, modify or reject the decision of the municipal board. Cabinet will also have the option of ordering a new hearing by the board if it is evident that these are issues requiring clarification. The board's decision after this new hearing would be final.

This is the approval process provided for under the Rental Housing Protection Act. As I have said, the purpose of the legislation is to give our long-term policies for revitalizing the rental housing sector time to take effect. We are confident that both our rent review and our housing supply initiatives will greatly reduce the incentives for demolitions and conversions.

The rent review system is being simplified and streamlined to the benefit of both landlords and tenants. The new system will also make provision for a fair and reasonable rate of return on rental investments.

The \$500-million assured housing programs announced last fall are designed to stimulate the production of 44,500 rental units. An additional 18,500 units will be preserved from demolition through the rental rehabilitation loans made to owners of older buildings to help them bring their premises up to provincial and municipal standards.

We will be monitoring the rental situation carefully over the next 24 months. Proposals will be developed before the end of the period that are appropriate to the situation prevailing at that time. For now, I urge the members of this House to support our efforts to protect Ontario's residents against the loss of their homes. We believe the importance of preserving affordable rental housing justifies all-party support for speedy passage of Bill 11, the Rental Housing Protection Act.

This urgency was also expressed and addressed in a news release on April 24, 1985. It was erroneously dated by the honourable critic of the official opposition, the member for Sudbury (Mr. Gordon). Also, the critic of the third party, the member for Riverdale (Mr. Reville), has expressed his concern about getting this bill through. Just today, the member for Ottawa Centre (Ms. Gigantes) expressed her concern about the urgency of this bill and said that each day we delay this or it is in the House, rental units could be lost in the manner that I have just expressed.

Mr. Gordon: I take this opportunity to address my remarks to the bill under discussion. I have listened carefully to the comments of the

Minister of Housing and I am disappointed in the role that has been taken by the minister to date, particularly with regard to the whole question of affordable housing in this province.

Surely by now we should be seeing many more foundations going into the ground in many communities across this province. It just is not happening. This particular bill certainly addresses the problem of conversions, and it is a bill that shows some sensitivity to many tenants in this province. However, it is like a double-edged sword. On the one hand, it is going to help tenants; but on the other hand, I think it is going to do some very real damage to property rights in this province.

I would like to talk this afternoon about both of those issues and some of the effects I see flowing from this bill. I think all of us in this House today agree that the crisis in housing increases daily. The vacancy rate hovers consistently around 0.3 per cent in many of our major urban areas. We also have to recognize that more and more tenants are finding themselves unable to find decent affordable accommodation.

On the other hand, we have a government that spends a great deal of time preparing for press conferences and talking about historic agreements being reached between landlords and tenants, but we see very little housing being built in the province. The Minister of Housing is going to have to take full responsibility for that. He has been minister for almost a year. When we ask where is the housing, the answer that comes from the other side is, "We are working on it."

The minister can hold only so many press conferences to tell people about the wonderful things he is going to do. Soon he is going to have to show some activity. Some people in this province, some developers or landlords, are going to say that Bill 11 does nothing to encourage the small developer and does nothing to encourage someone who owns property with rental units to build or to make the kinds of investments necessary to provide decent affordable housing. I point this out to the minister.

As I indicated, we are mindful on this side of the House that this bill is a double-edged sword. As a party not blinded by inflexible ideologies, we see both sides of that sword and are most alert to the dangers inherent in a bill of this nature.

Mr. Grande: On both sides of the fence, are you?

Mr. Gordon: The New Democrats should not provoke me.

Mr. Grande: The member provokes himself.

Mr. Gordon: Just as long as he understands.

Let us consider the context in which this bill appears. Let us consider how the minister's policies, like bad sorcerers, do undo one another. The Minister of Housing is wont to repeat often in this House that his assured housing program and his bill comprehensively address the housing crisis we face today. Many times in replies to questions in this House, he has told us that he is relying on the private sector to build 44,000 unassisted units over the next five years and that the private sector is gladly going to re-enter the rental housing market because of the confidence the minister's policies have inspired among developers. He claims to have created a climate of certainty in this province, a climate that is going to encourage developers to build.

I have talked to developers in this province about Bill 11. They are saying such things as: "This does not encourage me to build. This takes away my property rights. This takes away the rights that are mine to do what is necessary in my building without going through a long involved process with a municipality." It is a double-edged sword. It depends on whom one is talking to.

5:10 p.m.

On the other hand, if one is at all cognizant of what has been going on, particularly in large metropolitan areas such as Metro Toronto or Ottawa, one will see there have been conversions of many apartments to condominiums. Those conversions have been increasing at a very rapid rate. As a matter of fact, we have seen more than 8,000 units converted in Toronto in the past five years. That is going to have a serious effect on affordable housing units in this province. It is particularly serious because once we take an affordable housing unit, an affordable apartment, and it is converted into a condominium, it is no longer available as an affordable apartment. It is gone and it is gone for ever.

The minister may ask, "Why does he say it is gone for ever?" Look at it this way. We know that when developers go out today and build apartment units—I know those civil servants sitting in the gallery know that and I am sure they have told the minister this—they are usually luxury units. We know it takes almost 20 years for luxury units to become affordable units that the average person in Ontario can afford to rent and move into.

We have a situation where luxury units become affordable units only after about 20 years, which is like an eternity for most people looking for affordable units today. On the other

hand, we have a crisis in Ontario that is worsening day by day. We have people all over this province who are looking for affordable housing units and cannot find them. According to the estimates that come out of the ministry, we now have more than 200,000 people who have an affordability problem. We have another 40,000 people who are currently on waiting lists for affordable housing.

In looking at Bill 11 as a two-edged sword, on the one hand, we see that when we take away an affordable apartment unit, it is gone. It becomes a condominium and it does not come back. On the other hand, if we are looking for more affordable housing to be built, if we are looking to the private sector, we cannot expect that type of housing to come on stream for at least 20 years.

There is a very real and serious problem in Ontario today and it is a problem that, in my view, is not being addressed. The minister may say: "What do you mean, it 'is not being addressed'? I am bringing in Bill 11 and that will help to stop this haemorrhage of affordable housing being lost." On the other hand, the minister is literally failing when it comes to providing more nonprofit housing to help provide affordable housing for those people who really need it in this province.

We have a government which has had a real windfall to its Treasury because of the increased taxes it brought about, not in this last budget, but the one before when it first came into power. It has money coming out of its ears; yet we know on this side of the House that nonprofit housing, co-op housing, is not really being built at any pace at all in this province today. It is not being built because the maximum unit price that the federal people are looking at is impinging upon the number of units that can really happen in this province today.

We do not see a government which recognizes the crisis. We do not see a minister who is going to cabinet and saying, "I need millions of dollars more to create that affordable, nonprofit co-op housing I promised the people of Ontario for the past year." We do not see that. Instead, we see the minister sneaking into this House—well, no, not sneaking into this House; I want to be fair—striding into this House talking about historic agreements, holding press conferences and parties even in the Premier's ante-room or boardroom, to do what? To create more housing? Where is the housing? It is not being built. It is just not happening; instead, we have something like Bill 11.

What is Bill 11 designed to do? Bill 11 is designed to stop the haemorrhaging in the existing housing stock, the apartment stock that is being converted into condominiums. That does not answer the fundamental problem in Ontario today. The fundamental problem today, in my view—and I hope the minister is listening to this—is that the government has to build some affordable housing and it has not done so. It is still not building that housing. It is dancing around the periphery, dancing around the edges.

Those people down at Earl's corner—

Mr. Mancini: Earl's garage.

Mr. Gordon: That is true, Earl's Shell. When the people down at Earl's Shell kick those tractor tires, they are not fooled by this kind of bill. As I said, it is a double-edged sword.

I would like to indicate to the House what some of the people on the other side are saying about this bill. This bill affects two groups: the tenants and the developers and landlords. Let us talk for a minute about the private sector.

This is where I have a concern. On the one hand, the minister says that as a result of his press conferences and historic parties developers are going to become much more confident about what they should be doing in Ontario. In other words, he is suggesting they are going to build more units.

He went out and promised 44,000 unassisted units would be built, but he has not indicated what some of these developers have been telling me. They are saying that here is a minister who is relying on the participation of the private sector to resolve part of his housing crisis. We have a bill that has not only the larger developers, but also the small- and medium-sized property owners and landlords up in arms over what they consider to be the complete nationalization of their industry. That is what they are saying.

Let me get this straight. First, the minister tells us he is creating confidence in the private sector in this province and that, because of that confidence, more housing units will be built. I think I have that straight. On the other hand, we have developers saying: "Hey, wait a minute. This guy is nationalizing what we have out there now."

Let me get it straight now. That means the minister somehow knows something no one else in this House knows. He must know something special. Obviously, he does not know anything special because that is the fear out there; so I do not think he is creating confidence.

These developers and landlords see themselves as mere trustees of the state. They have no

right to do what they want with their property. That is what they are saying. Our office has received a great number of calls from developers about this matter. Those are the kinds of sentiments they have expressed.

5:20 p.m.

We should be mindful that this bill obviously destroys the incentive for private sector investment in the rental housing market for some private developers. This has been reflected in many of the news reports we have read and seen in this province since this bill was introduced. Who is going to build the badly needed rental housing? Certainly, no one who has any concern over the types of controls that might be put over their investment.

The government is going to have to become the biggest landlord anywhere in North America by the time all the effects of its policies have been felt. The minister is going to have to build a lot more than 6,700 nonprofit and co-op units a year even to make a dent in the crisis we face today. With some trepidation, I have to ask myself at what cost.

As I indicated, this is a two-edged sword. On the one hand, this bill will have the effect of discouraging investment in housing, particularly from the private sector. On the other hand, there is no one in this party who cannot but be sensitive to the problems that exist out there right now in the housing sector, particularly for those people requiring affordable housing. As Conservatives, we are people who value the concept of community, family and church.

In Ontario today, many of our elderly citizens who live in low-cost rental housing are being dispossessed of their homes of 20 and 30 years because developers have become fed up with rent controls and want to make more money on their investment. On an individual basis, we can all recognize that it is understandable that a person wants to have a better rate of return. However, when we look at the present crisis, when we look at what we face as a result of that crisis, the loss of low-cost housing without new, affordable rental stock coming on stream, we would be negligent not to act in accord with our tradition of social conscience.

The context in which this bill is being introduced is an unprecedented housing crisis. As I indicated, 40,000 people are on waiting lists for subsidized housing across the province. There is a 0.3 per cent vacancy rate. When we see the number of people, particularly in the metropolitan area of Toronto, who have found their housing is disappearing and that there is no

other affordable housing to go to, it is obvious some steps have to be taken for the time being. I understand this bill is being put forward for a two-year period. I believe anything longer than that would be an admission on the part of the government opposite that its housing policies have failed abysmally.

Given the present situation for tenants in this province and the fact that affordable housing is not coming on stream—the private sector is not building any and the government is not building any, although it promised all kinds of co-op and nonprofit, which is just not happening and it is a farce—the only thing we can do under these circumstances is to agree that this bill is necessary for a limited period. We do have some amendments that we will be putting forward during clause-by-clause debate. These are amendments that will improve this bill.

Mr. Reville: This bill has been languishing in Orders and Notices for the fifth Wednesday in a row. We have been anxious to get at this bill because the situation for tenants in Ontario is not improving. During the five weeks that some of us thought we would be able to deal with this bill, tenants in Ontario have been under increasing attack. It is a shame we could not have seen this bill before now and had it passed into law.

In a way, this is where I came in. In the early 1970s, a group of us was trying to save rental housing in an area south of St. James Town in the city of Toronto. That is in the riding of St. George. A particularly successful Toronto developer managed to acquire blocks of rental housing and was going through a process of blockbusting at the time. I am speaking of a situation in history that—

Mr. Mancini: Mr. Speaker, on a point of order: I apologize for interrupting the member for Riverdale. I know he has some well thought-out comments to make on this bill. However, I was hoping we would be able to respond to the comments made by the member for Sudbury, as the new rules allow.

The Acting Speaker (Mr. Morin): I accept the member's point of order. I apologize. It was an oversight. Are there any questions or comments?

Mr. Mancini: I would like to make some comments on the speech by the member for Sudbury, a member I have known for some years. I know how strongly he feels about certain items. He probably feels deep down inside that we should not have any conversion legislation. I am not sure what his exact feelings are on rent control or rent review.

Having made those comments, I would like to say it is unwise of the member for Sudbury continually to attack the Minister of Housing about matters on which he considers the minister has not taken action. If the member had read all the press releases sent out by the Minister of Housing and all the comments he has made, then if the member was fair about this matter, he would judge that the minister has been active in providing some type of protection for tenants and trying to spur on the building of housing units.

The other thing I want to point out is that when the member for Sudbury was making his comments, I was not sure which bill he was talking about. He seemed to touch on a broad range of housing issues and, in my view, spent very little time on Bill 11, which deals with conversions.

Is it the Conservative Party's view that the people who live in the apartments that are going to be converted should not be protected? Is that the member's view? Is it party policy? Is that what the Leader of the Opposition, the member for St. Andrew-St. Patrick (Mr. Grossman), is telling the people of Ontario? I think that is the crux of the matter. We are trying to give tenants protection. From the member's comments, it appears he is not in favour of such protection.

Mr. Gordon: I am surprised at this interjection by the member for Essex South (Mr. Mancini). He obviously was not listening to my remarks, because we made it very clear we will be supporting this bill. The fact that he did not hear exemplifies the attitude of the Minister of Housing. He does not hear what is happening out there on the hustings.

5:30 p.m.

As I pointed out earlier, houses are not being built. We have a crisis of a magnitude that is almost unbelievable. The only thing the government does is hold press conferences. It has to bring in a bill to stop the haemorrhage of affordable housing, but it is not building anything. That is the shame in Ontario today. A year or six months from now, when we bring the figures into this House, the figures of what he promised and the figures of what has actually happened, he is going to have to resign.

Mr. Reville: It may still be possible for me to splice my speech back together. I was at about 1970. Mr. Speaker, please bear with me; this is going to be a six-hour speech.

We were trying to save some affordable rental housing back in the early 1970s. At the time, the enemy was a certain number of fairly rapacious developers, who were very successful at buying

up blocks of rental housing, knocking one unit in the row down and moving a motorcycle gang into one of the remaining units. Sometimes there would be mysterious fires. When the tenants fled in disarray, blocks of the community would be bought up and demolished. True enough, eventually the landscape would be scorched, no rental housing would be left and something else would be constructed in its place, quite often a parking lot.

Time has moved along and the attack on rental housing has become somewhat more sophisticated. The motorcycle gangs are gone, but the development industry has refined its methods and has hired snake-oil salesmen to trick tenants into agreeing to some other form of tenure and to get them, notwithstanding the armour of the Landlord and Tenant Act, out of their units so that those units can be torn down and replaced with other units, usually very high-priced units.

One of the jobs I did when I was on Toronto city council was to chair the neighbourhoods committee. The neighbourhoods committee was the place where we made decisions about how much of the city should be left standing and how much of it should be torn down. Every second Thursday at 10:15 in the morning, we would have the demolition section of our agenda. Various properties would be brought forward and we would try to make decisions about whether the buildings should be torn down or left standing and the tenants left therein.

Unfortunately, in spite of its undoubted wisdom, the council of the city of Toronto did not always decide to prevent demolition of property, nor was it always able to. That was for many years the source of much concern in the city of Toronto and in other municipalities in this province. In fact, they came to the previous government and said, "Please, on behalf of the tenants of Ontario, give us the authority to control demolitions."

The previous government dillied and dallied and shillied and shallied. After a great deal of affordable rental housing stock was lost, it finally agreed to give the city of Toronto the ability to control demolition for one year under some conditions.

I am sure anybody who was in the 32nd Parliament will remember very well the massacre on Eglinton Avenue. The member for Eglinton (Mr. McFadden) will remember it well because he had to choose sides on the issue and he had to choose the tenants' side. I remember the then Attorney General, who is now the Canadian High Commissioner to Britain, sent a message to

Toronto city council. It was the most preposterous message I had ever read. It said: "We do not know what to do about the Eglinton apartments. We do not know what the city of Toronto wants."

Eleven of us decided that rather than vote for the demolition of those affordable units, we would quietly absent ourselves from that council meeting so there would not be a quorum. What a stir we caused. There was a learned justice who thought that was a dreadful thing. He issued a contempt order against the Corporation of the City of Toronto. A great many citizens thought that was a terrible thing and they, for some strange reason, sued the 11 of us.

I recently finished paying my lawyer's fees in respect to that lawsuit, but the members will be glad to know we were found not liable in the cause and, in fact, the fine of \$115,000 was returned to the Corporation of the City of Toronto because the learned judge decided he had been just a mite hasty.

That perhaps explains how important the ability to protect rental housing stock is to those who sit on municipal councils and how desperate a local council can sometimes be when it does not have the tools with which to do that.

This is not confined to the city of Toronto. It happens in municipalities all over the province, because sometimes it happens that municipal councillors are just a bit closer to their constituents than is always possible in the Legislative Assembly. Aldermen and councillors receive entreaties daily from constituents who are facing the loss of their housing stock.

I remember some particularly poignant cases that occurred while I was on the neighbourhoods committee at the city of Toronto. I remember one in particular because it was a very large issue for me and for my neighbourhood, not so much because of the size of the project that was demolished, but because of the manner in which it was demolished.

It concerned a group of historic cottages near the corner of Queen Street and Broadview Avenue on a street that rejoiced in the name of Baseball Place. The street was called Baseball Place because at one time Toronto's baseball stadium was at the end of this little street. Subsequently, the baseball stadium went to the island, then it went down to Stadium Road and now it is in the CNE. Perhaps soon it will be near the CN Tower, but at the time, that is where the baseball stadium was. That was in the late 19th century.

An application came forward to demolish six one-storey houses in a row. The application said

they were vacant. I knew that was not correct because some of the tenants in the row had called me and said they were being asked to leave. They wanted to know whether they had to leave. I said, "No, you do not have to leave because the owner does not have a building permit and I hope the city of Toronto will decline to issue a demolition permit."

Notwithstanding that, the landlord went to the tenants and said, "You have to leave; the city needs the property," and by other means managed to convince the people to leave. Then the landlord went and vandalized the units. He actually pulled the plumbing fixtures right out of the wall, put hammers through the toilet bowls and ripped out the hot-water tanks.

We used to like pictures at city council as it helped us to understand things. Local politicians are not quite as smart as provincial politicians, so we got pictures. The pictures depicted the terrible state of these units, except that the day before the pictures had been taken, the units had been absolutely fine. There was nothing wrong with the units at all and they were eminently affordable units.

5:40 p.m.

Unfortunately, the council decided they had to be torn down, seeing they were such crummy housing, and they were torn down. Now they are paved over and cars are parked where there once had been six units of affordable housing.

The member for Sudbury waxed eloquent about the concern the Conservative Party has for community, family and church. I am not sure of the relevance of that, but I want to add a story about a church. He triggered a synapse in my mind that made me think of the case of the church that came forward through the neighbourhoods committee because it wanted to demolish two houses on church property.

Lest the neighbourhoods committee not understand how important an issue it was, the church brought the bishop. Of course, we all trembled there in our chairs. Lo and behold, the council decided to knock down two perfectly good houses so that there would be a little more space for parishioners to park on Sunday when they came to church. That was a very difficult moment for me because it struck me that one can build houses in heaven, but one still needs houses here on earth. To knock down houses so that people could park a little closer to church on a Sunday was a very odd priority indeed.

I share these stories, not only because I know the members appreciate them very much but also because I am trying to make the point to the

Minister of Housing across the aisle that what has been offered to us in an effort to protect rental housing may not be the instrument we want. Some of the decisions that have been made in the past by municipal councils have not necessarily been made with affordable rental housing as the key priority; other priorities have intruded. Obviously, it is the job of politicians to balance priorities all the time. Municipal councils, like any elected body, may not always choose the correct priority.

What is it about Bill 11 that sets the priorities for a municipal council? It is the criteria through which a council will have to judge an application for a demolition, a condo conversion or a renovation that requires vacant possession. Unfortunately, the criteria that have been offered to us, which do not appear in the bill but in the regulations, are not very strong.

The criterion that will most often be used by a municipal council when an application comes before it will not be the criterion that relates to whether the building is unsafe. That is a situation that does not often occur. It will not be the criterion that says it is all right if one builds an equal number of affordable rental housing units. I do not think that is likely to happen. The criterion that will most often be cited by applicants will be the one that says, "In the opinion of council, the proposal does not adversely affect the supply of affordable rental housing in the municipality."

The stories I have just described should show that criteria as vague as those in the regulations are not going to prevent a municipal council from granting approval to a large number of applications. I will mention the city of Toronto again. I apologize for using this example. It is obviously the example I know. I do not like to be too Toronto-centred; that is one of the charges sometimes laid against Metro members, with some justification. There is a very large province out there and what happens in Toronto may be of marginal interest anywhere else.

The city of Toronto had a very strict condominium conversion policy. There was no conversion of apartment houses as long as the rental vacancy rate was under 2.5 per cent. The member for High Park-Swansea (Mr. Shymko) is going to take his chair and listen to this. It is a good idea too. The vacancy rate did not once approach 2.5 per cent and it is not now threatening that threshold of 2.5 per cent. I suspect the real vacancy rate is a negative; it is not 0.03 per cent. It is a negative vacancy rate because there are waiting lists in all sorts of rental

complexes so that units will never come on the market at all.

Notwithstanding the very strict condominium conversion policy that was in place in the city of Toronto, before it was watered down somewhat—this was a policy that was in place between 1980 and 1983—708 units were lost to condominium conversion. The council decided that even though they did not fit within the very stern criteria that had been established, for other reasons it would allow the condo conversions to occur. Of course, the biggest and most famous was the Village by the Grange, which was converted to condominiums. I have to say I voted against that conversion, as I did against every subsequent conversion application.

The member for Sudbury has described Bill 11 as a two-edged sword. It may be so for the Tories, and I suspect it is a double-edged sword for the Tories because the one Tory who is now leaving the Legislature does not want this bill to pass at all. In fact, I will give him a button on the way by. It is called "Freedom of Destiny for High Park Tenants." I want him to have this button. Let the record show I gave the button to him.

Mr. Barlow: And the member got it back.

Mr. Shymko: And let the record show I pinned it on the member.

Mr. Reville: I think I should wear this button proudly as it has appeared on my lapel. I have found one has to make do with what one ends up with in life, because that is clearly what I am after. This button says "Freedom of Destiny for High Park Tenants." The way to ensure that tenants have a good destiny is to protect rental stock.

There are three basic issues in housing in Ontario that have to be addressed. I float this series of three issues over the top of the head of the member for Sudbury in the hope he will listen, pay attention and get them right so that he does not mix them all up in his next speech.

There is the question of protecting tenants; there is the question of protecting stock; and there is the question of creating new stock. Those are the three most critical issues with respect to housing, and there are ways to deal with each of those issues. On occasion, they interrelate and overlap somewhat, I agree.

5:50 p.m.

Bill 11 purports to protect the stock and, by implication, the tenants who live therein. I want to complete my little image here; so I have to say again that the member for Sudbury says it is a two-edged sword. I think of it as a wet noodle. I

do not think Bill 11 effectively protects rental stock. I have already suggested one reason it does not protect it very successfully, namely, the criteria in the regulations are far too weak. They create vast loopholes which not only a municipal council but the Ontario Municipal Board could use to grant approvals, and so, God forbid, could the Lieutenant Governor in Council. I am not aware that the Lieutenant Governor in Council has to explain why he, she or it decides to do particular things; perhaps we will never know just why the Lieutenant Governor in Council decided something. However, I am very concerned that, in view of the fact that it takes a very small loophole to slip through a notice of termination, Bill 11 creates large loopholes indeed.

I will spend just a minute or two pointing out a couple of other problems I have with the bill. I want to allow people lots of time to speak. The bill does not cover a very significant portion of our rental stock. That is because the regulations exempt from the application of the bill residential rental properties of fewer than seven units. A number of the members of my caucus, notably the member for Oakwood (Mr. Grande) and the member for Ottawa Centre, have pointed out problems relating to this exemption in the bill. A vast number of units are not going to be protected; it is 446,000 units.

I am not sure why the government has decided to leave fully one third of the rental housing stock in Ontario without even the wet-noodle protection of Bill 11, and it troubles me a great deal. I know the member for Oakwood in particular will be speaking to this issue. I will be moving an amendment when we get to clause-by-clause discussion on this bill, and I hope we get to clause-by-clause on this bill very promptly indeed. This is not a bill that needs to go out anywhere. This bill can be dealt with right now in this House in committee of the whole, because every day we delay loses more units in this province.

More building permits and demolition permits are being issued. Guys out there with big cigars are asking, "How would you like to buy a little you know what?" We have to move with alacrity and we have to move with certainty on this. We have to have some amendments to this bill so that we can seriously protect the affordable rental stock in this province and provide for the tenants of Ontario some real control over their lives.

As we all know, the home is the very centre of our lives. It is where we make our plans, it is where we hang our hat, it is where we keep our

shoes, it is where we pay our bills from and where even members of the provincial parliament sometimes go to relax and to try to decide what they are going to do next.

Mr. Speaker is leaning forward expectantly to hear what I am going to say next. I am very concerned that this bill does not cover fully one third of the units in this province. That is a very serious oversight. I am sure it is just an oversight. I am now convinced that the minister is going to stand at the conclusion of my remarks and say, "Mr. Speaker, I have made a terrible oversight and I am now going to include 446,000 more units."

My second major problem, as I said earlier, is contained in the regulations, where the criteria are described. I would like to move an amendment when we come to that stage—and I hope we come to that stage very soon; I say that again—that the criterion relating to the effect on affordable rental stock has to be connected to the vacancy rate for it to make any sense at all.

My party had a meeting not long ago in Hamilton. Every couple of years we get together and chat one with another, and we had some ideological debates. Members may have heard about them. We all, thousands of us, join arms in a big room. We are all equal in the room and we all share our views as to how the world should be.

While we were sharing our views, a resolution was passed relating to this bill. Our party is a very topical party. It debates stuff while it is happening; it debates stuff after it is happening; and it debates stuff before it is happening. It is an incredible party. The members should join this party.

One of the decisions my party made while it was meeting, talking, sharing and thinking about the future together was a decision about the criterion which now causes me to amend my own amendment. I am no longer going to suggest a vacancy rate of 2.5 per cent. The party has spoken and I agree with the party. It now should be four per cent, which will provide 1.5 per cent more protection for the tenants of Ontario. That is the kind of party we have.

I hate it when the sunset comes. That is my third concern about the bill. When the sun goes down, that means things stop. The sunset clause of this bill is a very serious problem. It is not a serious problem for the member for Sudbury. He would like this bill to sunset yesterday. On the other hand, we do not want to be standing around on June 30, 1988—there is some kind of magic to June 30—when all of a sudden this wet-noodle protection for the tenants of Ontario disappears.

Suppose this legislation manages to work for a couple of years. Does anyone in Ontario believe for a moment that we will not continue to need protection for our housing stock? Even if the minister's supply program delivers every single unit he hopes it will deliver, that I hope it will deliver and that I hope he will increase—perhaps at the end of my speech he will get up and increase it—even if we get what he likes to describe as the 6,700 units, then the 5,000 units, then the 400 units and then the 13,000 units, even those thousands of units will not make up for the rental stock we have lost in the past few years, nor will they come close to scratching the surface of the need for affordable rental housing in this province.

I will be moving another amendment. The amendment will say the government cannot sunset this bill unless it has some housing policy in place, protected by legislation that has been given royal assent and that will really protect rental housing stock—not wet-noodle stuff, but really serious protection that says: "We as a government and as a Legislature believe affordable rental housing is an absolute necessity in this province. We are not going to stand by while that stock is threatened, while that stock is knocked down to make way for parking lots, while tenants are thrown out on their ears only to be replaced by other tenants who are paying three times the amount or by home owners who have stolen a rental housing unit from what is absolutely essential in this province."

That is an absolutely essential thing. A piece of work the Minister of Housing will want to get busy on is developing policies, and not a process, to protect rental housing stock. When all is said and done, Bill 11 is a process; it is not a policy. It provides a flow chart through which applications can go. It does not say, definitively, loudly and proudly, that the government is determined to protect rental stock. That is a serious problem.

6 p.m.

My last remarks today have to do with the fact that the bill comes into effect when it receives royal assent. I find that lamentable because it is not a surprise to the Minister of Housing. It is not a surprise to the Ministry of Housing staff, who, I might say, have been very gracious and helpful in discussing the bill with me. If not gracious and helpful enough to agree to ask the minister to change it, they have indeed been gracious and helpful. At any time I had a question, they gave me an answer to it and I appreciated that.

I will pick up the thread I have left dangling over there. Mr. Speaker, I am going to pick it up

and I know you will be comfortable when I do, as soon as I remember what the thread is. There is no one—here it comes; the human mind is amazing—who did not know there was a crisis in housing, to use the words of the member for Sudbury, an unprecedented housing crisis. Members have to know that when the Tories finally realize something is a crisis, it has been around for a long time.

I have real trouble with this bill. First, it did not arrive for second reading until July 2, 1986, when during the election campaign in the spring of 1985 Liberal candidates were bleating all over this province about their concern for affordable housing stock. The Premier, who at the time was a much quieter and perhaps less cool Leader of the Opposition, used to drop around and chat with me about how concerned he was to protect rental housing. We used to sit on platforms together. How was to know I was sitting next to the next Premier of Ontario at the time? I certainly would have worn better clothes if I had known that.

He used to stand up before tenants and say, "We, the Liberal Party of Ontario, are concerned about the loss of affordable rental stock." I believed him then and I believe him now. That is why I know the Premier's concern is shared by the Minister of Housing. We will not end up with a situation where this bill does not take effect until it receives royal assent; in fact, the minister will make it retroactive.

As my dear colleague the member for Ottawa Centre pointed out in her question today, when Bill 11 was given first reading in this Legislature on May 5, a foot-race began. Landlords all across the province hurried to get their permits so they could get under the wire, so they could get the tenants out of their units. That has been going on all over the province. In those cases where they have not got rid of all their tenants, it is time to reach back and put a tourniquet on that bleeding, and that has to be done.

I thank you, Mr. Speaker, for your indulgence and careful attention. I look forward to hearing the speeches of my colleagues on this matter. I also look forward very much to pushing strongly for the amendments I have suggested I will be moving to see that we end up with an act that will seriously protect the rental housing in this province.

The Deputy Speaker: Questions or comments? There being none, does any other member wish to participate in the debate?

Mr. McFadden: I rise today to support the bill on second reading. There is no more immediate

problem for many people in Toronto than the lack of affordable housing. As has been cited on various occasions in this House, the vacancy rate in Metropolitan Toronto is now down to 0.02 per cent. This means that something like only two out of every 1,000 units are vacant at any given time within the area of Metropolitan Toronto. One could even argue that there is no vacancy rate at all in view of the fact that one building after another of desirable housing has a waiting list of some considerable length.

I know of some buildings in my riding where the waiting list numbers in the hundreds, so that if a tenant does move out, while there may be a vacancy for a day or so, one cannot really say the apartment effectively enters the housing market at any given time, since there are more than enough people to fill it immediately.

Since 1981, nearly 10,000 rental apartment units that were subject to rent controls have been lost in the Metropolitan Toronto area. That amount represents nearly 10 per cent of the affordable rental accommodations in Metro. Many of these units disappeared from the market and were converted into luxury units.

I have raised on a number of occasions in this House the plight faced by the tenants of 11, 15, 21 and 25 Sherwood Avenue within Eglinton riding. A new landlord purchased these four buildings last fall from an estate that had owned them for quite some time. That landlord is now seeking vacant possession of the premises in order to renovate the apartments into luxury units.

The Sherwood Avenue buildings, containing some 99 apartments, were built decades ago. They have provided decent and reasonably priced accommodation for people of all ages, but particularly for senior citizens. About 50 per cent of the people in these buildings are seniors. Many are over the age of 70 years and a considerable number are over 80 years of age.

Most of these senior citizens have lived in the buildings for many years—in fact, for decades. One couple I met have lived in their apartment in one of these buildings since 1937. Losing an apartment that has been their home for 20, 30 or even 40 years is traumatic enough for a man or woman in his or her 70s or 80s; it is even worse when there are no other apartments, let alone at an affordable price, anywhere in the neighbourhood in which they live. For many of these seniors, eviction from their apartments represents a life crisis that they are often ill equipped to deal with both financially and emotionally.

It has been interesting to note the development that has taken place in this particular set of buildings, since it has been quite typical of what I have found in other areas of the city. A tenants' organization was established when it became clear the landlord was going to go ahead and evict the tenants. The burden of leading the fight was not carried by the seniors, who represented a clear majority in the buildings. It was carried by the younger tenants.

In talking to these younger tenants, who have provided leadership to the tenants' organization, I found the reason they took on the job was not that they were afraid to lose their apartments, because they knew they were young enough, had jobs and could move on to other units they could afford. They were carrying on the fight because they had seen the terrible impact that the threatened eviction would have on the seniors who lived in the building, and so they organized and have been fighting the eviction and demolition to help their fellow tenants rather than themselves.

6:10 p.m.

Unfortunately, it appears that this particular bill will not likely solve the problems faced by the senior citizens and other tenants in the Sherwood buildings; it has come along too late. Last fall I asked the Minister of Housing and the Minister of Municipal Affairs (Mr. Grandmaître) to bring in emergency legislation to deal with the terrible social problems created by this form of demolition and conversion. I had hoped the Minister of Municipal Affairs would consider amending the City of Toronto Act the way the previous government did to provide a further period in which demolition control could apply.

This House was assured at one point by the Minister of Municipal Affairs that legislation would be introduced by the end of January. No legislation was introduced. I asked the government again, prior to adjournment, when action could be expected to provide the necessary enabling legislation to permit the municipalities to control such demolitions. I urged the minister at least to bring in the legislation before adjournment so that it could be sent to committee. No action was taken and the House adjourned in February. It was not until May 5, several weeks after the House came back following the adjournment, that this bill was brought into the House.

Bill 11 does not deal with the overall shortage of affordable housing in Toronto or outside it in other parts of Ontario. It will help to deal with the emergency situation faced by people with limited

incomes, particularly senior citizens. Our goal must be to create a situation where there will be adequate senior citizens' and other low-cost housing accommodation available so that this kind of restrictive legislation will no longer be necessary.

There are a couple of aspects of the legislation that concern me. In particular, I am concerned with the procedure established under the bill. The bill establishes that if someone is dissatisfied with a decision given by the municipal council concerned, he can appeal the decision to the Ontario Municipal Board. From there, if one of the parties is not satisfied with the decision of the OMB, he can in turn appeal to the cabinet.

I do not know whether the minister realizes how time consuming this process could be. I fail to see why the government is adding one level of appeal on top of another. I can see that an appeal to the OMB might be permitted to protect tenants or landlords from capricious, unfair or arbitrary actions by a council. I do not think municipal councils generally act in that fashion, but protection with an appeal to the Ontario Municipal Board could be justified. However, there can surely be no justification at all for an appeal to the cabinet of the province. This is a needless level of appeal that will achieve little or nothing other than to delay proceedings and create additional costs, upset and tension for the parties involved.

If we analyse all the various appeal processes, it is quite conceivable that proceedings that might be started when this bill comes into effect, probably this fall, will not be completed until after the act expires in 1988. I urge the minister to consider very seriously, at least at committee stage, a revision of the procedures and processes so that this additional level of appeal to cabinet is removed.

While it requires amendment, I am prepared to support the bill because I believe it does provide needed emergency relief for a situation that affects many tenants within Metropolitan Toronto and other municipalities throughout the province.

Mr. Mancini: I will make a short comment to the honourable member who just finished. He may recall that the honourable gentleman who was his predecessor was encouraged to take action on many occasions when he was the Attorney General to provide protection for tenants who were going to lose their tenure for one reason or another. That honourable gentleman may have even mentioned the same address or a similar address in a similar situation. We stood where the member stood just a few minutes

ago addressing the government of the time and it refused to do anything about it.

I want to remind the member of that and let him know that this minister is taking action. While the member says he is supporting the bill, I thought his speech was exceedingly negative in view of what had happened in the past.

Mr. McFadden: I did not intend my speech to be negative. I believe we should all be positive in this House. I was trying to be constructive in suggesting an amendment to the bill that will make it work better, to which I am sure the minister will be listening. My point was to point out a social need and to suggest ways in which that need might be met.

The buildings the honourable member was referring to are in the Bathurst and Eglinton area. Sherwood Avenue is a considerable distance from there.

Mr. Mancini: I am from Amherstburg.

Mr. McFadden: I did not expect the member to know those buildings. I would be happy to show him around. Since my election in May 1985, I have written and spoken to the minister with regard to the maintenance of the Bathurst and Eglinton buildings as well. I welcomed the initiative of city council and the provincial government to get on with maintaining those particular units.

The point I was getting at, and perhaps the point the member refers to as being negative, is my concern to come up with solutions in the long run that will increase the supply of housing and give tenants choices. They will not have only one choice, namely, staying in the unit they have for fear that if they look anywhere else or move out they will not find anything. That is the reason I support this particular bill. We have to find some way to protect those tenants who are being threatened with eviction and have nowhere else to go. In the next couple of years, I hope that issue can be resolved and they will find other suitable accommodation.

Ms. Gigantes: I rise to join this debate with a great sense of outrage and anger. For more than a year now, the Liberal government has promised measures that will protect what is left of our existing stock of rental accommodation. I do not think this bill does that. I am appalled at the way this government has delayed bringing in the measures we now have before us and the fact that we learn the Conservatives are looking to send the bill to committee, which will delay it further.

6:20 p.m.

I raised questions earlier today concerning one address in Ottawa, 180 MacLaren Street, known as the Bonaventure Apartments, which have provided 90 units of affordable rental accommodation for residents of Ottawa for the past 25 years, roughly speaking. Those people have been under siege for the past two years. Their landlord has been after them to get them out of that building so he can turn it into what he is advertising in the yellow pages of Ottawa newspapers as an apartment hotel. He calls it the Bytown.

I heard him on the radio this morning before I left Ottawa. He was explaining that units renting in the affordable range will become apartment hotel units that, if fully occupied during the month, will bring in about \$1,200 a month to our enterprising landlord. This situation is but one of many that have occurred regularly month after month and year after year in the city of Ottawa.

I heard an earlier speaker on this bill—in fact, it was the housing critic for the Conservatives—saying that in the city of Toronto alone thousands of units have been lost in recent years. With a population one quarter that of Toronto, Ottawa has lost thousands of units in affordable rental housing during the past few years. The critic for the Conservatives is not aware, perhaps, that it has not been through the process of condominiumization. Ottawa did develop a condominium control bylaw which said that when the vacancy rate was lower than three per cent no affordable rentals should be turned into condominiums. That has not been our problem.

Landlords have found other ways of freeing up units and turning them into something besides rental accommodation affordable to ordinary households. Those methods have been renovation, demolition and construction of the same number of units but units that will fetch a much higher price on the housing market. There has been severance of rental row units, on which we now have an inadequate policy from this government.

The greatest of those problems has been renovations. We have seen time after time in Ottawa a landlord get a building permit to undertake a major renovation, a renovation that according to the law would be such that he would require vacant possession. Then what does he do? He goes in, sands the floors, paints, puts a chandelier in the dining room, if there is one, and ups the rent 300 bucks. That has been the consistent pattern in downtown Ottawa during the past few years.

Let me tell members what else that means. It does not just mean that people are forced to pay higher rents; it also means there is a wholesale flight, an emigration, a refugee movement from our downtowns. It means the people who are forced out of affordable rental accommodation in the urban cores of our major cities are forced to move, sometimes outside of our regional municipalities. In case after case that I have followed, people have had to move right outside the regional municipality of Ottawa-Carleton to find accommodation they could afford.

That is not without its public cost. In social terms, we are driving a whole class of people, a whole economic class, out of our urban centres. We are going to have urban cores inhabited by only the wealthy. That in itself is going to create problems for which the public will pay. I do not have to enumerate them, but they will include crime and they will mean the underuse of our infrastructure in the urban cores—the schools that are empty, the parks that are empty and the community centres that are not used—because families will not be able to afford to live downtown.

Further, when families and individuals are forced out of the urban core, where do they go? They go outside to the suburban areas and even to the extra-suburban areas, and there they need services. They need transportation services, recreation services and school services. Who pays for them? We pay for them. We paid for them once in our downtown urban cores and now we are going to sit by and watch while private entrepreneurs change the type of holding they have from affordable rental into unaffordable rental. We have to pay a public cost, not only in social terms, as our cities change, but in physical terms because we have to provide services for people who are forced to be refugees in their own city.

This bill is not a bill to protect affordable rental. It is a bill that says a landlord may apply to a city council, and if city council does not give him approval to turn it into unaffordable accommodation, then he can go to the Ontario Municipal Board. If the OMB does not give him approval to turn it into unaffordable accommodation, then he can go to the cabinet. If the cabinet feels so inclined, it can send it back to the OMB.

How many low-income and moderate-income tenants are going to sit through month after month of this kind of attack by landlords to determine whether they are going to be able to stay in their affordable homes. No, they are going to be frightened.

I have heard a lot today about sensitivity to these problems. Any member who has actually watched what happens to tenants when they get that eviction notice, has seen people burst into tears and feel fear when they know the housing market is not going to provide them with affordable accommodation and that they had better start, like last week, desperately looking to be the lucky household that finds some kind of rent it can afford out there in that market; any member of the Legislature who has intimately watched that process knows perfectly well that tenants in fear are going to leave.

They are not going to go in there, as did the tenants from 180 MacLaren Street with the support of their provincial member and the support of their local member of council, and hang in there and go into a full-scale war with a landlord. It happens very rarely.

In most cases, tenants would not even know their rights or if there were any for them. If there are rights in the Landlord and Tenant Act, they do not know them; if there are rights in the rent review act, they do not know them. Unless someone well informed comes along and helps them to organize and know their rights, they quit even before the battle begins.

Even when they get help, where are they going to be with this bill? There are places where tenants have managed to organize themselves and have realized that if they hang in there and ignore illegal eviction notices, the harassment and the advertisement that their home is now an apartment-hotel—you name it; landlords try everything. Even if they are strong enough to withstand that, this bill does not effectively provide them protection.

It does not guarantee that somewhere along the way a council, an OMB or an executive council, or an OMB again, is not going to decide they are going to have to leave. Are the rents going to be lower if they have to leave next year if they go out looking somewhere else for rents? Not likely, and they know it.

In the case of 180 MacLaren Street, I feel very deeply that this minister and this government have betrayed a trust. The people who lived in 180 MacLaren Street until two years ago in some sense of security, had felt that with the election of this government and the commitments it had made to protect affordable rental accommodation they were going to be able to stay in their units, that there would be 90 units of affordable rental housing provided for residents of Ottawa at 180 MacLaren Street. Now that is not true.

This bill has been delayed to the point where they are not protected. The building permits are starting to flow out of city hall. This landlord is going to win unless the minister changes his mind and decides he is going to keep a trust with those people, instead of letting them go down the drain and throwing them out on to the streets with a housing market where many of them are going to be facing grievous problems.

Mr. Speaker: Does the member have any more remarks?

Ms. Gigantes: Yes, I do. Would you like me to adjourn the debate?

Mr. Speaker: I think that would be in order.

On motion by Ms. Gigantes, the debate was adjourned.

The House adjourned at 6:30 p.m.

ERRATA

| No. | Page | Column | Line | Should read: |
|--|--|--------|------|---|
| 37 | 1866 | 1 | 31 | Hon. Mr. Peterson: 1. There were no individual |
| 37 | 1870 | 2 | 40 | GOVERNMENT OFFICE |
| 37 | 1872 | 2 | 3 | Sessional paper 26, re Macdonell Memorial |
| 37 | 1878 | 1 | 3 | |
| | Hospital closing , sessional paper 26 | | | 1872 |
| | Naturopathy , sessional paper 27 | | | 1872 |
| | Extra billing , sessional paper 32 | | | 1873 |
| | Obstetrical services , sessional paper 41 | | | 1873 |
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue: | | | | |
| | Electoral districts redistribution , sessional paper 56 | | | 1873 |
| 40 | 1992 | 1 | 26 | bia; Kyushu University, Japan; Bar-Ilan Uni- |
| 40 | 1992 | 1 | 31 | sity of Aikato, New Zealand, and the National |

APPENDIX A

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

INTERIM ANSWERS

291. Mr. Bernier: Hon. Mr. Scott—The ministry will require additional time to respond to the above question. A final response will be tabled on or about June 30, 1986.

315. Mr. Gillies: Hon. Mr. Nixon—The ministry will require additional time to provide the information required by this question. The answer should be available on or about October 10, 1986.

RESPONSES TO PETITIONS

NOISE BARRIERS

Sessional paper 60, re Conestoga Expressway noise barriers.

Hon. Mr. Fulton: The ministry of Transportation and Communications has reviewed the two sites from Frederick Street to Ottawa Street, along the Conestoga Expressway (one on each side).

It has confirmed that these sites warrant noise barriers, and they have been placed on the priority list for the retrofit noise barrier program.

The sites are addressed in order of greatest priority, and these sites will be built once the higher priority sites have been retrofitted.

ROMAN CATHOLIC SECONDARY SCHOOLS

Sessional paper 63, re Bill 30, An Act to amend the Education Act.

Hon. Mr. Conway: Bill 30 is before the standing committee on social development for clause-by-clause consideration. Proposals in the legislation provide that the planning and implementation commission will monitor the completion of the separate school system and ensure the viability of the public school system.

The public and separate school systems must respond to public expectations about programs, access, standards and quality. The government intends to keep the high standards of today and to maintain a strong, viable and excellent system in the future.

The role of the planning and implementation commission will continue to be an important one, and will be clearly delineated in the legislation.

HIGHWAY CONSTRUCTION

Sessional paper 72, re Missanabie to Renabie Gold Mines and Missibay Mining Inc., dangerous curves on the road connecting.

Hon. Mr. Fulton: This road has no highway designation and, therefore, is not under the Ministry of Transportation and Communications' jurisdiction. It is a road on crown lands open to the public and is a private access to mining company operations.

Nevertheless, improvements to the road and maintenance can be carried out under an industrial road program managed by the northern Ontario resources transportation committee.

The prime users of the road, representatives of the mining companies and the school board, were advised by the ministry's regional representatives at a meeting of April 22, 1986, to seek industrial road designation. This venue would provide funds for improvements and maintenance on a cost-sharing basis with the government contributing proportionate to the public use of the road.

Renabie Gold Mines Ltd. has since indicated a desire to pursue industrial road status, and it is understood that a formal application is being prepared. In the meantime, planning and scheduling of improvements have been initiated in co-operation with ministry staff.

APPENDIX B

ALPHABETICAL LIST OF MEMBERS*

(125 members)

Second Session, 33rd Parliament

Lieutenant Governor: Hon. L. M. Alexander, PC, QC

Speaker: Hon. H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC

-
- Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
 Ashe, G. L. (Durham West PC)
 Baetz, R. C. (Ottawa West PC)
 Barlow, W. W. (Cambridge PC)
 Bennett, C. F. (Ottawa South PC)
 Bernier, L. (Kenora PC)
 Bossy, M. L. (Chatham-Kent L)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Callahan, R. V. (Brampton L)
 Caplan, Hon. E. (Oriole L)
 Charlton, B. A. (Hamilton Mountain NDP)
Conway, Hon. S. G., Minister of Education (Renfrew North L)
 Cooke, D. R. (Kitchener L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cordiano, J. (Downsview L)
 Cousens, W. D. (York Centre PC)
 Cureatz, S. L. (Durham East PC)
Curling, Hon. A., Minister of Housing (Scarborough North L)
 Davis, W. C. (Scarborough Centre PC)
 Dean, G. H. (Wentworth PC)
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Eves, E. L. (Parry Sound PC)
 Ferraro, R. E. (Wellington South L)
 Fish, S. A. (St. George PC)
 Foulds, J. F. (Port Arthur NDP)
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
Grandmaitre, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
 Gregory, M. E. C. (Mississauga East PC)
 Grier, R. A. (Lakeshore NDP)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Guindon, L. B. (Cornwall PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Hart, C. E. (York East L)
 Hayes, P. (Essex North NDP)
 Henderson, D. J. (Humber L)
 Hennessy, M. (Fort William PC)
 Jackson, C. (Burlington South PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
 Knight, D. S. (Halton-Burlington L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
 Leluk, N. G. (York West PC)
 Lupusella, A. (Dovercourt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 Mancini, R. (Essex South L)
 Marland, M. (Mississauga South PC)
 Martel, E. W. (Sudbury East NDP)
 McCaffrey, R. B. (Armourdale PC)
 McCague, G. R. (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McFadden, D. J. (Eglinton PC)
 McGuigan, J. F. (Kent-Elgin L)
 McKessock, R. (Grey L)
 McLean, A. K. (Simcoe East PC)
 McNeil, R. K. (Elgin PC)
 Miller, F. S. (Muskoka PC)
 Miller, G. I. (Haldimand-Norfolk L)
 Mitchell, R. C. (Carleton PC)
 Morin, G. E., Deputy Chairman of Committee of the Whole House (Carleton East L)
 Morin-Strom, K. (Sault Ste. Marie NDP)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)

Newman, B. (Windsor-Walkerville L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue (Brant-Oxford-Norfolk L)
 O'Connor, T. P. (Oakville PC)
 Offer, S. (Mississauga North L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
 Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Affairs and Mines (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pierce, F. J. (Rainy River PC)
 Poirier, J. (Prescott-Russell L)
 Pollock, J. (Hastings-Peterborough PC)
 Polsinelli, C. (Yorkview L)
 Pope, A. W. (Cochrane South PC)
 Pouliot, G. (Lake Nipigon NDP)
 Rae, R. K. (York South NDP)
 Ramsay, D. (Timiskaming NDP)
 Reville, D. (Riverdale NDP)
 Reycraft, D. R. (Middlesex L)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
 Rowe, W. E. (Simcoe Centre PC)
 Runciman, R. W. (Leeds PC)
Ruprecht, Hon. T., Minister without Portfolio (Parkdale L)
 Sargent, E. C. (Grey-Bruce L)
Scott, Hon. I. G., Attorney General (St. David L)
 Sheppard, H. N. (Northumberland PC)
 Shymko, Y. R. (High Park-Swansea PC)
 Smith, D. W. (Lambton L)
 Smith, E. J. (London South L)
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)
 South, L. (Frontenac-Addington L)
 Stephenson, B. M. (York Mills PC)
 Sterling, N. W. (Carleton-Grenville PC)
 Stevenson, K. R. (Durham-York PC)
 Swart, M. L. (Welland-Thorold NDP)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
 Taylor, J. A. (Prince Edward-Lennox PC)
 Timbrell, D. R. (Don Mills PC)
 Treleaven, R. L., Deputy Speaker and Chairman of Committee of the Whole House (Oxford PC)
 Turner, J. M. (Peterborough PC)
Van Horne, Hon. R. G., Minister without Portfolio (London North L)

Villeneuve, N. (Stormont, Dundas and Glengarry PC)
 Ward, C. C. (Wentworth North L)
 Warner, D. W. (Scarborough-Ellesmere NDP)
 Wildman, B. (Algoma NDP)
 Wiseman, D. J. (Lanark PC)
Wrye, Hon. W. M., Minister of Labour (Windsor-Sandwich L)
 Yakabuski, P. J. (Renfrew South PC)

MEMBERS OF THE EXECUTIVE COUNCIL

Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Affairs and Mines
 Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics and Minister of Revenue
 Conway, Hon. S. G., Minister of Education
 Bradley, Hon. J. J., Minister of the Environment
 Scott, Hon. I. G., Attorney General
 Riddell, Hon. J. K., Minister of Agriculture and Food
 Eakins, Hon. J. F., Minister of Tourism and Recreation
 Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy
 O'Neil, Hon. H. P., Minister of Industry, Trade and Technology
 Sweeney, Hon. J., Minister of Community and Social Services
 Elston, Hon. M. J., Minister of Health
 Wrye, Hon. W. M., Minister of Labour
 Grandmaître, Hon. B. C., Minister of Municipal Affairs
 Curling, Hon. A., Minister of Housing
 Fulton, Hon. E., Minister of Transportation and Communication
 Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services
 Kwinter, Hon. M., Minister of Consumer and Commercial Relations
 Munro, Hon. L. O., Minister of Citizenship and Culture
 Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development
 Van Horne, Hon. R. G., Minister without Portfolio
 Ruprecht, Hon. T., Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Cordiano, J., assistant to the Minister of Colleges and Universities (Downsview L)

Epp, H. A., assistant to the Treasurer (Waterloo North L)
 Ferraro, R. E., assistant to the Minister of Industry, Trade and Technology (Wellington South L)
 Haggerty, R., assistant to the Minister of Government Services (Erie L)
 Henderson, D. J., assistant to the Minister of Community and Social Services (Humber L)
 Mancini, R., assistant to the Premier (Essex South L)
 McGuigan, J. F., assistant to the Minister of Natural Resources and the Minister of Energy (Kent-Elgin L)
 McKessock, R., assistant to the Solicitor General and Minister of Correctional Services (Grey L)
 Miller, Mr. G. I., assistant to the Minister of Agriculture and Food (Haldimand-Norfolk L)
 Offer, S., assistant to the Minister of Consumer and Commercial Relations (Mississauga North L)
 Poirier, J., assistant to the Minister of the Environment (Prescott-Russell L)
 Polsinelli, C., assistant to the Minister of Labour (Yorkview L)
 Reycraft, D. R., assistant to the Minister of Education (Middlesex L)
 Sargent, E. C., assistant to the Minister of Tourism and Recreation (Grey-Bruce L)
 Ward, C. C., assistant to the Minister of Health (Wentworth North L)

STANDING COMMITTEES

Administration of justice: chairman, Mr. Brandt; vice-chairman, Ms. Fish; members, Messrs. Callahan, D. R. Cooke, Ms. Gigantes, Ms. Hart, Messrs. O'Connor, Partington, Polsinelli, Villeneuve and Warner; clerk, L. Mellor.
 Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Cordiano; members, Messrs. Ashe, Barlow, Bossy, Foulds, Haggerty, McFadden, Morin-Strom, Sargent and Miss Stephenson; clerk, L. Mellor.
 General government: chairman, Mr. McCague; vice-chairman, Mr. Dean; members, Ms. Bryden, Messrs. Cousens, Guindon, Ms. Hart, Messrs. Henderson, McKessock, Newman, Pollock and Pouliot; clerk, D. Deller.
 Government agencies: chairman, Mr. Gregory; vice-chairman, Mr. Lane; members, Messrs.

Epp, Grande, Leluk, Mancini, Mrs. Marland, Messrs. Rowe, Sargent, Ms. E. J. Smith and Mr. Swart; clerk, D. Arnott.

Legislative Assembly: chairman, Mr. Breaugh; vice-chairman, Mr. Mancini; members, Messrs. Bossy, J. M. Johnson, Martel, Morin, Newman, Sterling, Treleaven, Turner and Warner; clerk, S. Forsyth.

Ombudsman: chairman, Mr. McNeil; vice-chairman, Mr. Sheppard; members, Messrs. Bossy, Hayes, Henderson, Hennessy, McLean, Morin, Newman, Philip and Shymko; clerk, T. Decker.

Public accounts: chairman, Mr. Runciman; vice-chairman, Mr. Gillies; members, Messrs. Epp, Ferraro, Gordon, Harris, Philip, Polsinelli, Pope, D. W. Smith and Wildman; clerk, D. Arnott.

Regulations and private bills: chairman, Mr. Callahan; vice-chairman, Mr. Haggerty; members, Messrs. Charlton, Cordiano, Cureatz, Ferraro, Hennessy, McKessock, Morin-Strom, Shymko and Wiseman; clerk, D. Deller.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Ramsay; members, Messrs. Bernier, Hayes, Knight, McGuigan, Pierce, D. W. Smith, South, Stevenson and Taylor; clerk, T. Decker.

Social development: chairman, Mr. R. F. Johnston; vice-chairman, Mr. Reville; members, Messrs. Allen, Andrewes, Baetz, Davis, Jackson, G. I. Miller, Offer, Reycraft and Ward; clerk, F. Carrozza.

SELECT COMMITTEES

Economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. McGuigan; members, Messrs. Barlow, Cordiano, Ferraro, Knight, Mackenzie, McFadden, Morin-Strom, Miss Stephenson and Mr. Taylor; clerk, D. Arnott.

Energy: chairman, Mr. Andrewes; members, Messrs. Ashe, Charlton, Cureatz, Gordon, Mrs. Grier, Messrs. Haggerty, McGuigan, Polsinelli, Taylor and Ward; clerk, F. Carrozza.

*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Monday of each month and in the first and last issues of each session.

CONTENTS

Wednesday, July 2, 1986

Members' statements

| | |
|--|------|
| Food land preservation policy, Mr. Sheppard | 2041 |
| Insurance rates, Mr. Foulds | 2041 |
| Pork producers, Mr. Reycraft | 2041 |
| Rental accommodation, Mr. Gordon | 2042 |
| Occupational health and safety, Mrs. Grier | 2042 |
| Brampton festival, Mr. Callahan | 2042 |
| Insurance rates, Mr. Hennessy | 2042 |

Statements by the ministry and responses

| | |
|---|------|
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet: | |
| Alleged conflict of interest, Mr. Grossman, Mr. Rae | 2047 |
| Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines: | |
| Conflict of interest | 2045 |

Oral questions

| | |
|---|------|
| Bradley, Hon. J. J., Minister of the Environment: | |
| Landfill site, Mr. Callahan | 2058 |
| Conway, Hon. S. G., Minister of Education and acting Minister of Government Services: | |
| Roman Catholic secondary schools, Mr. Davis | 2059 |
| Curling, Hon. A., Minister of Housing: | |
| Rent review, Mr. Reville | 2055 |
| Rental housing protection legislation, Ms. Gigantes | 2056 |
| Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy: | |
| Transmission line, Mr. South | 2055 |
| Gasoline prices, Mr. Morin-Strom | 2057 |
| Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines: | |
| Alleged conflict of interest, Mr. Grossman | 2049 |
| Extra billing, Mr. Grossman | 2050 |
| Alleged conflict of interest, Mr. Rae, Mr. Brandt, Mr. Pope | 2051 |
| Alleged conflict of interest, Mr. Pope | 2055 |
| Computer contracts, Mr. Gillies | 2057 |
| Alleged conflict of interest, Mr. Brandt | 2058 |
| Riddell, Hon. J. K., Minister of Agriculture and Food: | |
| Stabilization payments, Mr. McKessock | 2056 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Occupational health and safety, Mr. McClellan | 2059 |

Petitions

| | |
|--|------|
| Extra billing, Mr. Hennessy, tabled | 2060 |
| Sale of beer and wine, Mr. Epp, tabled | 2060 |
| Extra billing, Mr. Barlow, Mr. Jackson, tabled | 2060 |
| Specimen collection station, Mr. Harris, tabled | 2060 |
| Naturopathy, Mr. McGuigan, tabled | 2061 |

Report by committee

| | |
|---|------|
| Standing committee on regulations and private bills, Mr. Callahan, agreed to | 2061 |
|---|------|

Motions

| | |
|---|------|
| Committee sitting, Mr. Nixon, agreed to | 2061 |
| Alleged conflict of interest, Mr. Nixon, agreed to | 2061 |

First readings/Première lecture

| | |
|--|------|
| Family Law Amendment Act, Bill 111, Mr. Scott, agreed to | 2061 |
| Loi modifiant la loi sur le droit de la famille, loi 111, M. Scott, adoptée | 2061 |
| University of St. Jerome's College Act, Bill Pr26, Mr. Epp, agreed to | 2062 |

Second readings/Deuxième lecture

| | |
|---|------|
| Foreign Arbitral Awards Act, Bill 98, Mr. Scott, Mr. O'Connor, Ms. Gigantes, agreed to | 2062 |
| Loi de 1986 sur les sentences arbitrales étrangères, loi 98, M. Scott, M. O'Connor, Mme Gigantes, adoptée | 2062 |
| Rental Housing Protection Act, Bill 11, Mr. Curling, Mr. Gordon, Mr. Reville, Mr. Mancini, Mr. McFadden, Ms. Gigantes, adjourned | 2069 |

Committee of the whole House

| | |
|--|------|
| Foreign Arbitral Awards Act, Bill 98, Mr. Scott, Mr. O'Connor, reported | 2067 |
| Loi de 1986 sur les sentences arbitrales étrangères, loi 98, M. Scott, M. O'Connor, rapportée | 2067 |

Third reading/Troisième lecture

| | |
|---|------|
| Foreign Arbitral Awards Act, Bill 98, Mr. Scott, agreed to | 2069 |
| Loi de 1986 sur les sentences arbitrales étrangères, loi 98, M. Scott, adoptée | 2069 |

Other business

| | |
|---|------|
| Colleges of applied arts and technology, Mr. McCague, Mr. Sorbara | 2043 |
| Press report, Mr. McGuigan | 2044 |
| Clerk of the Legislative Assembly, Mr. Nixon, Mr. Peterson, Mr. Grossman, Mr. Rae .. | 2044 |
| Adjournment | 2083 |
| Errata | 2083 |

Appendix A**Answers to questions in Orders and Notices**

| | |
|---|------|
| Interim answers, questions 291 and 315 | 2084 |
|---|------|

Responses to petitions

| | |
|--|------|
| Conway, Hon. S. G., Minister of Education and acting Minister of Government Services: | |
| Roman Catholic secondary schools, sessional paper 63 | 2084 |
| Fulton, Hon. E., Minister of Transportation and Communications: | |
| Noise barriers, sessional paper 60 | 2084 |
| Highway construction, sessional paper 72 | 2084 |

Appendix B

| | |
|---|------|
| Alphabetical list of members of the Legislature of Ontario, members of the executive council, parliamentary assistants and members of committees | 2085 |
|---|------|

SPEAKERS IN THIS ISSUE

- Barlow, W. W. (Cambridge PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Brandt, A. S. (Sarnia PC)
Callahan, R. V. (Brampton L)
Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L)
Curling, Hon. A., Minister of Housing (Scarborough North L)
Davis, W. C. (Scarborough Centre PC)
Edighoffer, Hon. H. A., Speaker (Perth L)
Epp, H. A. (Waterloo North L)
Foulds, J. F. (Port Arthur NDP)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Gordon, J. K. (Sudbury PC)
Grande, T. (Oakwood NDP)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Hennessy, M. (Fort William PC)
Jackson, C. (Burlington South PC)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McFadden, D. J. (Eglinton PC)
McGuigan, J. F. (Kent-Elgin L)
McKessock, R. (Grey L)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Morin-Strom, K. (Sault Ste. Marie NDP)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Reville, D. (Riverdale NDP)
Reycraft, D. R. (Middlesex L)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)
South, L. (Frontenac-Addington L)
Treleven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Wildman, B. (Algoma NDP)
Wiseman, D. J. (Lanark PC)
Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament

Thursday, July 3, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, July 3, 1986

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

INSURANCE RATES

Mr. D. W. Smith moved resolution 46:

That in the opinion of this House, given the present trend towards ever-escalating court awards in the liability insurance sector and the resultant detrimental effect on the availability and affordability of insurance coverage, the government should consider placing legislated limits on court awards.

Mr. D. W. Smith: I am pleased to have the opportunity to present this resolution to the House and I look forward to hearing the many opinions and concerns my fellow members are sure to generate.

The present state of the world's liability insurance industry has been a popular subject of debate in the past year. Recognizing that the liability insurance sector is one of many facets and complexities, this resolution attempts to focus on only one aspect of this ongoing debate. However, while it is only one consideration among many, it is, none the less, an option which, if pursued, can only contribute to re-establishing some degree of stability in the liability insurance sector.

As members are no doubt aware, recent disruptions in the insurance industry are for the most part associated with the liability or third-party insurance sector, as distinguished from first-party policies involving only the interest of the insured. First-party policies reportedly account for approximately half of all premiums written by all insurers, some \$4 billion out of \$8 billion.

While this portion of the insurance sector has been described as highly competitive, it is also characterized as operating in a relatively stable and orderly market. Risks are assessed, premiums charged and settlements paid out. Unfortunately, such is not the case in the liability sector of the industry.

In the words of Daniel Damov, past president of the Insurance Bureau of Canada, liability

insurance "is another matter altogether. It is a field of constant change, reflecting public attitudes on matters of justice, fairness, entitlement, redress, quality of life and many other concepts that are no longer the sole preserve of social philosophers."

When we talk of public attitudes, I had an accident about 20 years ago, and it seemed back in that era people did not sue at the drop of a hat. I am sure with the accident I had and the time I was off I could have sued for a large amount of money, but that did not seem to be the attitude of 20 years ago.

Few would argue with such an assessment. Many would argue, however, over which series of events has most contributed to the present state of disarray within our liability insurance industry. Therefore, it may prove useful to review briefly some of the viewpoints and circumstances that are key to this issue.

Those speaking on behalf of the liability insurance sector maintain that the industry's investment income and existing premium schedules are no longer capable of absorbing an ever-increasing volume of underwriting losses largely because of high court awards. Anticipating a continuation of this trend, the insurance sector has in recent times undertaken a comprehensive review of its liability exposure. This has resulted in substantially higher premiums and the lowering or complete elimination of certain types of coverage.

A number of cities and municipal institutions across the province have seen their premiums increase anywhere between 100 and 1,000 per cent. Statistics show that in 1984, I believe, Canadian liability insurers took in \$487 million in premiums and paid out \$526 million in claims. Including expenses, these figures translate to \$1.33 paid out for every dollar taken in.

In spite of these statistics and counter to those arguments put forth by the industry, there are those who see the industry as the architect of its own misfortune. Those who remain critical of the industry's management over the years cite a traditional overreliance on both continuing high interest rates paid on reserves and continuing high inflation as major contributors to present problems. Further, they suggest premiums have

been held unrealistically low and commissions earned have been attractively high. Another critic, Rod McQueen, made a more critical statement:

"What has happened is simply this. The insurance companies have been trying the same wrong-headed tactics on Canadians that banks adopted a few years ago. After the banks lost money on Third World loans, they socked Canadians with higher interest rates by increasing their spreads at home. From the mid-1950s to about 1980, the spread—the difference between what the banks pay depositors in savings accounts and the prime rate, the interest level they charge corporate borrowers—was a constant 2.5 per cent. About 1980, however, the banks began to increase the difference until it grew to twice the historical levels. Today the spread remains at a fat five per cent. The Canadian general insurance industry, seeing that the banks could get away with that kind of ripoff, adopted a similar strategy. As a result, Canadians are now paying for losses in other countries, even though losses in Canada have been low."

Regardless of which combination of factors one is most inclined to subscribe to, in my estimation it is difficult to ignore the link between ever-increasing court awards and the cost and availability of insurance coverage. It would appear to me also that if the companies raise their premiums too high too quickly, the companies will lose money as they lose clients. Examples of those are our fair boards, which are having a tremendous problem now, municipalities and school boards.

As the Hamilton Spectator indicated in February 1986, "The number of claims has increased 18 per cent over the past five years in Ontario, according to industry statistics, but the average cost per claim has increased a whopping 69 per cent."

Ted Belton, president of the Insurers' Advisory Organization of Canada suggests: "It was not too many years ago that a \$1-million judgement was a headline-making thing. Now today, it is routine.... The fundamental thing is that claims costs, particularly for bodily injury, and uniquely in the province of Ontario, incidentally, have risen extremely rapidly.... And every time a new judgement sets a new precedent where it broadens the scope of liability, every existing claim has to be reviewed to see if there is a potential liability in it."

10:10 a.m.

Admittedly, much of the recent commentary has focused on one or two cases involving quite

lofty awards. Likewise, those relatively few, highly sensationalized awards are still considered by many to be mere aberrations rather than precedents. Again, the statistics seem to suggest a trend in this direction.

Figures compiled by the Insurers' Advisory Organization of Canada indicate that the claim frequency per 100 vehicles has increased from 0.09 per cent in 1979-80 to 1.06 in 1983-84. More important, the average automobile bodily injury claim during the same period has reportedly increased from \$10,500 to \$17,587.

The problem is not so much the sporadic awards of seemingly high proportions, but the signals that such awards send to both the insurance industry and the public at large. While the often-cited Brampton case involving an award of some \$6.3 million, a case which I understand is currently under appeal, is still considered the exception to the rule in this province, it has certainly sent a clear message to the insurance industry that it must fundamentally reassess its risk-capacity ratio.

The Insurance Bureau of Canada maintains that "large awards have affected people's expectations and that, in turn, affects out-of-court settlements."

A Gallup poll conducted in March this year seems to further strengthen this premise. In that poll, 18 per cent of Ontarians blamed higher premium costs on increased accident claims, 16 per cent cited increased profit-taking by insurance companies and eight per cent attributed recent hikes to the overall increase in the cost of living. No less than 46 per cent indicated that higher damage awards by judges led to higher premiums.

Many members are probably saying to themselves that 46 per cent of that sample population has regrettably fallen for the insurance industry's well-executed public relations campaign. I caution against such a hasty conclusion and return to the earlier assertion that public expectation has quite obviously played a role in the successive increases we have witnessed in liability awards. The relationship between present high awards and future settlement expectations is, in my mind, irrefutable. The resultant ripple effect is apparent.

The Insurers' Advisory Organization of Canada suggests that the unpredictability of awards has caused the crisis. In their words, "the uncertainty factor is throwing them for a loop. Underwriters cannot be sure what they are covering any more."

I have in front of me a list of actual cases which lend some credence to this claim. If the members will bear with me, I will run through a few examples of previously awarded settlements that are not only of questionable merit, but also may give new meaning to the word "award." Here are some examples from the *Globe and Mail*:

"A woman in Port Colborne, Ontario, received more than \$210,000 in damages for physical and emotional injuries she suffered in a car accident that caused \$36 damage to one of the vehicles involved. Calling the collision 'a dramatically unspectacular crash,' the judge, none the less, awarded her \$47,500 for pain and suffering, \$140,000 for loss of income and \$25,400 for medical costs. Her immediate family was also awarded \$12,000 in damages.

"A youth in Windsor, Ontario, was disabled in a hit-and-run accident. Though his insurance had a \$200,000 limit for accidents involving unidentified drivers, the judge ruled—and an appeal court upheld—that an unidentified driver was really an uninsured driver despite policy language to the contrary. The limit for uninsured drivers is \$1 million.

"The husband of a Michigan woman killed in an Ontario car crash was awarded \$920,000 for the economic loss caused by her death. Though the couple were childless, the wife was earning about US\$30,000 as a high school teacher. The husband, who was not seriously hurt, is a civil servant."

I could go on and name some other cases, but I think the examples have been well made there. These cases and others of a similar nature show the necessity of examining the entire area of court awards. I believe that today many court awards do not represent a realistic attempt to compensate victims for their actual injuries and losses. Awards are sometimes not at all in proportion to the injuries sustained. To address this problem, I am suggesting it is time for us to review the adequacy of the present system of compensating injured parties.

As the members may know, courts in Ontario have placed a limit on awards for pain and suffering that amounts to \$180,000 at present. The states of Florida and Michigan have just passed legislation limiting their awards to \$225,000. I believe we should not only rethink our level, but also investigate the possibility of limiting the situations where awards can be made and limiting the maximum amounts that can be awarded for certain injuries.

It is possible this Legislature may have to limit awards for future care and lost wages to ensure

that amounts awarded under these heads of damage are reasonable and rationally reflect the actual damages suffered by victims. Further, it is a matter not only of limiting awards in the sensational Brampton case, but also of limiting awards in the more routine cases where settlements are no longer proportional to injuries, having ridden on the coattails of the sensational cases.

I believe it is naïve to suggest that the present trend towards increasing court awards should be viewed separately and apart from the adjustments currently taking place in the liability insurance sector. That being said, I would like to highlight a few of the less radical options which have the potential to exert at least a moderating influence on escalating awards. As a matter of information, all these options are addressed in some detail in the Slater report on the insurance industry.

First, there is the matter of prejudgement interest as it applies to the Courts of Justice Act. As the Slater report indicates, more plaintiffs are now delaying the expeditious resolution of their claims to maximize the prejudgment interest award. In turn, this contributes to the difficulty in predicting necessary reserves and overall premium schedules. Suggested amendments to existing legislation "would provide that prejudgement interest for noneconomic losses in personal injury cases would not begin to run until sufficient medical information has been provided to the defendant, or until the plaintiff has made himself/herself available for medical examination."

Second, there are concerns relating to an injured victim's right to receive benefits from more than one source such as private disability insurance, public assistance programs and others. Known as double recovery, such occurrences are seen as contributing to waste and duplication. Various proposals have been put forth which would work to limit benefits received from collateral sources.

A third proposal outlined in the Slater report, which again involves amendments to the Courts of Justice Act, would allow the courts the discretionary power to impose "a structured settlement" in lieu of a lump sum payment. Such an amendment would effectively deal with the difficulties and uncertainties associated with the tax gross-up component reflected in lump sum personal injury awards.

Finally, there are the often-repeated concerns relating to clause 61(2)(e) of the Family Law Act, 1986. This provision, which allows for "the relatives of an accident victim to recover

damages for loss of 'care, guidance and companionship' " has been identified as instrumental in numerous and, as the Slater report indicates, "often trivial claims by distant relatives."

A report released by the Canadian Bar Association in April this year suggests "the problem is that unanticipated insignificant claims were advanced and...paid which were not intended to be within the ambit of the legislation." The recommendation in the Slater report is straightforward: "Amend the provision to limit recovery to those cases where the loss of guidance, care and companionship was shown to be 'serious or permanent.'"

I would be the first to admit that there are numerous ramifications associated with the aforementioned proposals. That should in no way dissuade us, however, from moving towards such reforms in situations where they are so obviously needed.

10:20 a.m.

The members of this House may be familiar with a recent Court of Appeal decision which has recognized the need to place some limits on the size and extent of court awards. The original decision, based on a 1981 traffic accident that killed two people and injured several others, awarded damages totalling \$3.15 million to seven plaintiffs. That decision was based on the perception that the policy's limit of \$1 million applied to each claimant involved in the accident. The Court of Appeal reduced the award to \$1 million, indicating that a \$1-million car insurance policy is worth only that amount and should not be interpreted as meaning \$1 million for each person killed or injured.

No one would deny an injured party's rightful claim to fair and adequate compensation. Likewise, we must recognize that in certain circumstances injured victims are, in the absence of insured compensation, cared for in the end at public expense. However, we must ask ourselves whether society can afford the financial burden of a such an extensive and all-encompassing liability insurance system.

I believe the resolution before the Legislature, if it does nothing else, attempts to inject some degree of realism into the decisions facing the liability insurance sector and the people it is designed to protect.

Mr. Speaker: You are reserving about one minute and 25 seconds.

Mrs. Marland: I appreciate the opportunity to speak this morning with regard to the private member's resolution suggesting that we should have the government place legislative limits on

court awards as they pertain to liability insurance. I recognize there has to be an answer to this problem and, having read the Slater report, understand the concerns of many of the varied groups that made submissions to be included in the comments of the Slater report.

When we talk about legislating limits of awards, I know it looks as though we are invading an individual's right to sue as it pertains to the amount. I recognize that may raise a question on its own, especially with the legal profession, and perhaps with the individual who is seeking some form of compensation for any number of causes and justified reasons.

Recognizing that there has to be an answer to the problem as it exists, because we obviously cannot continue with the situation as it is because we are getting to the point where the affordability of liability insurance is becoming a major question for a number of people, both from a business perspective and even a recreational perspective, I am not sure that limiting the amount of the award is the answer. I am wondering whether legislating the limits of liability may be the answer. When we talk about legislating the limits of liability, there should be a further study done as it pertains to the areas for which any two parties may be liable.

If we take, for example, as the previous speaker has mentioned, the now infamous case in Brampton, we can extend that scenario a little further to where there have been other cases, albeit not in the amount of \$6 million, involving private property that is signed and fenced but still intruded upon. Where there was a serious accident, as there has been, and a suit followed, compensation has been awarded, although the intruder has been trespassing.

Also, in the case examples we have had through the new Family Law Act, we seem to have a selection of choices of legal action pertaining to liability insurance that can go on ad infinitum to where ultimately, it has been said, children could turn around and sue their parents at some time in the future because they did not have enough love, care and direction when they were young and, consequently, as they grew into adulthood, they developed all kinds of problems. They, in turn, could be sued as parents with that kind of responsibility. That sounds exaggerated, but under some aspects of that act, it will now be possible to pursue that kind of direction.

We recognize that the North American continent, in particular, has become a very suit-conscious nation. That is well demonstrated by the fact that people nowadays hesitate even to

stop to assist a fellow citizen in an automobile accident. It has been known that the injured victim of an accident has turned around and sued whoever it was at the scene who, out of willingness to try to help, moved that person when he or she should not have been moved. There are other similar examples.

We have now got to the point where, if a member of the public falls down the steps of a public building, the first thought is: "I must sue them because they are the corporation of a large municipality. They have unlimited coverage, they have unlimited funds and maybe I can get some money out of it." However, if that person were to trip down his neighbour's step and receive a similar injury, knowing his neighbour does not have the substantial financial security and background from which to draw in the case of a liability settlement, he would not bother to sue.

In part, the mentality of the public, as we view liability suits, has brought about the situation we are dealing with today. It is very important that we look to personal income tax reform as it pertains to liability insurance settlements because, obviously, a large upfront insurance settlement has to be automatically doubled right from the beginning in order to meet the penalty with which that individual is faced in terms of personal income tax. The federal government should be encouraged to recognize that is an area which needs some reform.

I have a manufacturer in my riding of Mississauga South who is the sole manufacturer for a very small part that is used in the automobile carburetors of a US automobile manufacturer. When the liability insurance crisis was on during the latter part of last year, he lost all his export trade and had a serious consequence to his business because the US automobile manufacturer would not accept that product imported in the United States, manufactured in Canada, without the liability insurance being in place for that Canadian—in fact, Mississauga—manufacturer.

That is another area where liability insurance affects the businessman. It certainly affects people from a recreational point of view in terms of all kinds of use of recreational equipment. That has recently been quite well demonstrated by the concern about whether the Canadian National Exhibition would have some aspects of its midway entertainment available to the public. Until it decided to make the investment in its liability insurance, it did not know whether it could secure that protection for the public.

I can go on listing numerous areas of concern on this subject, such as the entertainment industry. The concern about personal automobile insurance goes without saying. I have mentioned manufacturers, in particular exporters who have had requirements put on them that are outside of our country. There are also retailers, wholesalers, service providers, contractors, builders, print publishers, radio and television broadcasters, municipalities and all levels of government. We are included.

10:30 a.m.

We see the concerns that are raised over and over again. It certainly comes through that we are dealing with affordability for the individual and with accessibility. There are cases where liability insurance simply is not available—it is actually being refused now and it has never been refused before—or if it is available, it is simply not affordable. It ends up that the individual, the group, the business or possibly, in some areas, the municipality is not able to provide the insurance. They simply cannot afford it.

If the answer is to legislate the limit of awards, then I will support the resolution. I have decided I will support the resolution at this stage because I see it as the only vehicle by which to get further answers. The Slater report is only the beginning. It is a statement of the requirement and the great need for greater answers to the liability insurance crisis as it is today. Unfortunately at the moment, the insurance industry is being blamed, whereas perhaps it is not the insurance industry that should be blamed but our whole cycle of society. Perhaps, through causes beyond our control, we have become greedy in our terms of need and settlements. With the whole matter under further review, we will have a complete answer in the future.

Mr. Swart: I want to tell the member for Lambton (Mr. D. W. Smith) immediately that I am not going to be supporting his resolution because his resolution does not deal with the real, massive problems causing Ontario's crisis in insurance. In this resolution, the member for Lambton is simply playing the insurance companies' game. He is placing the whole responsibility for the current horrendous situation on high court awards. I am not going to play that game with him when he is taking the side of the insurance companies against the victims.

If the member had done his homework, he would know there are four causes for the unavailability of insurance and the skyrocketing rates. The first is the unreasonably low rates previously. The companies did lose some money

on liability insurance. That was their fault. Second, there has been some overall moderate increase in settlements. Third, there has been the withdrawal of coverage by the reinsurers whereby the direct insurers have panicked and raised the rates to account for that. Fourth and most important, there has been a blatant and massive gouging of public businesses and organizations by the insurance companies.

Yet the member picks out only one of the causes and the most insignificant one at that. Surely the member must know that liability claims are up only marginally in this province and in this nation. From 1983 to 1984, liability insurance claims in Ontario, according to the superintendent of insurance, went up from \$243.6 million to \$249.1 million, an increase of only 2.3 per cent. Just recently, Statistics Canada released figures showing that between 1984 and 1985 claims, including the cost of claim settlements, went up by only 11.2 per cent, which is only 13.5 per cent in two years.

The member stated in his comments that \$1.35 was paid out for every \$1 received in 1984. Surely the member must know that did not include the interest on insurance companies' investments, which amounted to \$1.37 billion, and surely the member should have stated that the figure of \$1.35 included claims adjustment costs. Statistics Canada shows that in the first quarter of this year the loss ratio of claims versus premiums, not including insurance, was 64.5 per cent. If one includes investment income, they took in twice as much on liability insurance in this nation in the first quarter of this year as they paid out.

Yet liability rates went up a year ago by an average of 200 per cent, and the second round this year is almost as great as that first round. The Ontario Hospital Association has had an increase in insurance rates for its 125 members from \$3.5 million two years ago to \$40 million this year. Premiums for liability insurance alone for the Durham Board of Education this year went up from \$63,000 to \$217,000.

Fall fairs are likely going to be cancelled because of the increased rates or unavailability, and even our Canada Day celebrations in many parts of this province were cancelled because they could not get insurance. What a condemnation of the system in this province, caused more than anything else by the inaction of the Liberal government and the Conservative government before that with regard to insurance, that we cannot even celebrate Canada Day. What power the insurance companies have in this province.

The member for Lambton brings in a resolution to cap the awards when the minister in charge of insurance in his own government refuses even to investigate whether the unavailability of adequate liability insurance and those kinds of horrendous increases are warranted. What a facade. What a joke to bring in this kind of resolution when his own minister is not even investigating whether the insurance companies are levying unfair and unreasonable rates. The resolution even misses at least the two specific areas of reform which are not really caps on awards, the gross-up and the structured awards, which could be changed by action of his government to cut these so-called massive awards down to two thirds or even half without cutting back at all on what the individual receives.

The real situation is that the insurance companies are blatantly and massively gouging the public. The member for Lambton is aiding and abetting them by this resolution, as his Minister of Financial Institutions (Mr. Kwinter) has been doing for almost the past year. If I sound angry, it is because I am. People are being hurt. Businesses and organizations all over this province are devastated. The member and his minister stand in this house as apologists for the insurance companies.

We saw and heard all this on our tour during six or seven weeks this spring. Volunteer organizations, fair boards, social agencies and businesses, large and small, are cutting back on services and not holding events because of this insurance crisis. Even families are being split up.

We heard from Pat Cushing in Windsor, who has two sons. One was involved in a series of accidents, and his insurance went up to \$8,000. He had a Corvette. What happened to the father who lives in the same home? The father's insurance tripled as well. The two sons moved out. One went to a university in British Columbia. He changed universities from the one at Windsor. His insurance, which was \$2,600 here, went down to \$700 in British Columbia.

I have a letter in my file which I received two days ago from a man in Niagara Falls. His son has moved out because he has had accidents. His insurance rates have quadrupled, and the father's were going to go up very substantially. The situation is even breaking up families.

Does the resolution of the member for Lambton do anything to solve the seven major problems in auto insurance, the excessive premiums and escalating rates, the arbitrary cancellation and refusal to renew insurance?

In Welland, insurance for literally dozens of motorists was cancelled because of a hailstorm that happened there. Discriminatory rate increases are applied for frivolous reasons. All drivers and households are penalized because of one driver's record. Young male drivers with good records are victimized by rates three or four times the average. There is a growing number of people driving without insurance in this province, some 200,000 now, and because Ontario's no-fault coverage is extremely limited, there are long delays in compensation and unfair settlements to accident victims. The resolution does not do a single thing about that.

Does the resolution do anything to solve the problem of the 40 to 50 per cent of people who get no compensation from disabling accidents? No. That could be solved by a New Zealand style of no-fault accident insurance coverage.

Does the resolution do anything to solve the real problems in liability which I have mentioned? No, it does not. Does it do anything to change the tort system, which is the main reason for any undue increase in settlements?

10:40 a.m.

Does the member know what is needed in this and what his resolution should say? We need five major measures implemented in this province, and his government has the power to do it. We should have:

1. A government insurance corporation, in which compulsory automobile insurance will be a major part, selling liability and general insurance in competition with the private insurance companies;
2. A comprehensive risk-sharing system for insurers through insurance pools and exchanges, and a government-organized reinsurance corporation;
3. A rate control board to examine and rule on all requests by insurance companies for increases in rates. They should have to justify them;
4. Certain limited reforms in the structure of court awards, the two that I have particularly mentioned;
5. A long-term basic, publicly operated, comprehensive, no-fault accident and sickness plan.

If the member wants to do something constructive, then he should dry his crocodile tears and put immense caucus pressure on the minister to establish a public insurance corporation such as Manitoba, Saskatchewan and British Columbia have. They do not have these problems out there.

Finally, I want to send the member a copy of an insurance report, so he will not only know

what the problems are but will also know some of the solutions.

Mr. Knight: The member for Welland-Thorold (Mr. Swart) certainly is not timid in stating his position. I would hope, however, that I speak for the majority of this Legislature when I reject his suggestion that we institute a public insurance corporation in Ontario. That is not the answer to the problems that are being suggested in the resolution by the member for Lambton.

However, I suggest that although I do agree with the underlying concern that the member for Lambton mentions in his resolution, namely, that we need to take a long, hard look at our present system of compensating accident injuries, I cannot agree with the solution he has suggested. It is too simplistic, and there is an error in fact in the resolution as stated.

Currently, as far as court awards in Ontario are concerned, there are three basic components. We have our noneconomic components, general damages and the pain-and-suffering components. We then have the economic-loss section referred to as special damages. The other component comprises such things as our Ontario health insurance plan subrogation, our gross-ups for income tax purposes, our prejudgement interest, cost and other components other than the definite pain-and-suffering awards and the economic-loss awards. In Ontario, we do have a cap on those noneconomic losses.

In 1978, after reviewing three particular test cases, the Supreme Court of Canada suggested, and it has been the norm in court awards since then, that the limit on noneconomic losses be \$100,000. Through inflation, that has now increased to \$184,000. We do have a cap on that particular component of court awards for accidental injuries.

As far as the economic losses are concerned, I do not believe that under the present tort system we should have a cap in as much as the future earnings, the care that needs to be provided, the potential renovations to houses that are necessary to accommodate those that are severely disabled, should be compensated fully under the present system.

I do think, however, and the Slater commission has noted in the report which it presented to the government, that as far as interim solutions are concerned, some tort reforms may be possible. They certainly should be considered. Some of those suggested reforms have been mentioned by each of the speakers previously. I would like to review them again.

One is the prejudgement interest consideration, not that prejudgement interest should be abolished as such, but the rules should be changed to determine more properly when the interest should begin to be calculated to avoid plaintiffs delaying settlements by such methods as not producing very necessary medical information, with a view to increasing the size of their awards.

Also, there should be a review of the collateral benefits that are at present excluded in loss calculation to avoid the problem of double recovery. However, I suggest these collateral benefits be the ones received from the public as opposed to the private sector.

The subject of gross-ups has also been mentioned. Either we petition the federal government to change the income tax regulations or, as the alternative, a mandatory structured settlement should be imposed to eliminate the necessity of the gross-ups.

Another suggestion that is not in the Slater report, but which I advocate, is a review of the desirability of continuing subrogation rights of the Ontario health insurance plan. In my view, it is a bit of a paradox that we have universal health care; yet with the subrogation rights of OHIP, one group in society shares disproportionately in the cost of our health care system.

All these tort reform suggestions make only a modest difference to the cost and availability of insurance. I believe, and it was mentioned in the Slater report, it is important to recognize our tort system has gradually evolved to one of compensation as opposed to deterrence. Society is demanding that we find a better way to provide that compensation.

In his report, Slater has recommended that we seriously consider eliminating the present tort system and compensate accident victims in the future on a first-party, no-fault basis. He further suggests we extend that compensation mechanism beyond car accidents and work towards a universal disability compensation program. I think his recommendations in the area of no-fault coverage deserve further consideration. I recognize his report to the government was commissioned and is not a document of government policy. However, it should be considered seriously; there are some good suggestions in it.

Simply put, our present system no longer fulfils the needs of society. For those who remain sceptical, and I address my remarks to the Advocates' Society in particular, I point out there are 22 states and six provinces that have some form of no-fault insurance at present. Fourteen of

those states have a pure no-fault system, and Quebec and Saskatchewan have the same in Canada. In Ontario, we have a form of no-fault insurance with our section B benefits under an auto policy. It is suggested that the no-fault insurance Mr. Slater refers to would be an extension of those first-party benefits to compensate accident victims properly.

10:50 a.m.

For the sceptics, I refer to the United States Department of Transportation study, *Compensating Auto Accident Victims*, which compared tort liability jurisdiction awards with no-fault jurisdiction performance over the past 15 years. The study presents statistical proof of the merit and workability of no-fault insurance. I recommend it to each member. It shows that under a no-fault system compensations to victims are higher and payouts are made far more quickly. No-fault insurance is a considerably more efficient system. Probably the best benefit is that no-fault systems relieve courts of suffocating case loads. Witness what we have in Ontario.

In summary, although I support the call for interim tort reforms and a careful consideration of Slater's recommendation that we adopt a better compensation system, that is, a no-fault, first-party compensation system, I cannot support my colleague's resolution. Unfortunately, we have to vote on the resolution as it is worded rather than voting on the comments of substance which might support that particular resolution.

The fact of the matter is that the resolution states we should put a cap on liability insurance awards. At present, we do have a cap with respect to the noneconomic portion of the award, and unless we get into proper tort reform and a no-fault system, the economic losses are justifiable because each and every victim has a right to ensure that he has the proper financial compensation for the losses he received and proper financial compensation for the expenses he will have in the future.

Mr. Runciman: I want to commend the member for Lambton for introducing this resolution. It is an opportunity for all members of this House to express some concerns and views in respect to what is really a liability insurance crisis in the province, a crisis that has been inadequately addressed by the current government and is inherent in the resolution placed before the House by the member for Lambton.

Many in the insurance industry and others were warning the government last August of an impending crisis, but it failed to respond until that crisis was upon us. In my view, the response

at this stage has been slow in coming and inadequate. The member for Halton-Burlington (Mr. Knight), who just spoke, was talking about automobile insurance and a no-fault system. That was one of my concerns arising out of the report of the Slater task force. So much of the task force report seemed to centre on automobile insurance and the proposal for a no-fault system rather than addressing the real crisis in general liability. There was some reference to that, but it seemed to me that how to address that particular problem should have been the main thrust of the Slater task force hearings. It was glossed over and the emphasis was on designing and implementing a private sector, no-fault auto insurance program, and that gained the greatest amount of press and public reaction.

I do not want to indicate that I am speaking for my party on this, but I and other members of this party, many of us on this side of the House, have some real concerns about no-fault insurance. There is a perception out there that it is a first step towards the socialization of the insurance industry and government-run insurance. It certainly makes government intervention that much easier.

I have to propose that the government and others in this House consider the implications of a no-fault system very seriously. In my own riding, I have had very few complaints in respect to automobile insurance rates. I cannot recall receiving one in the past four or five years; so I have to wonder out loud about how much of a crisis there is in respect to automobile insurance.

We know the socialists, the New Democratic Party, are attempting to create a public perception that there is a crisis and they are going at individual cases of concern in the province. I grant there are some, but they can be adequately addressed in ways other than simply jumping into the no-fault bed. It is something we have to look at very seriously.

In any event, tort revisions are appealing to me and to many who have taken a close look at the crisis in liability insurance. As many members will know, a number of options are being considered by the Ontario Law Reform Commission. The member for Lambton may be aware of that. Revising the tort system to rationalize the environment that industry faces with respect to injuries will be helpful—there is no question about it—but another major area that has to be addressed in respect to following along tort revisions is the need to reacquire reinsurance from London and other reinsurers. That has been a real problem.

One of the things I have looked at, and I know a number of people in the industry have discussed with me, is approaching the reinsurance industry and providing a convincing case that Canada is an environment different from that of the United States and one in which insurers can price effectively. I suggest today to the government, through the member for Lambton, that to facilitate the presentation of this case, the government should look at working in close co-operation with the federal government and the industry to establish a working group, to be composed of people from the insurance industry, the judiciary, the bar, the federal and provincial governments, small business and consumer advocates. I also suggest the group meet privately without fanfare, closet themselves and work out options and proposed solutions.

I have talked to officials in the industry, and they believe conclusions reached by such a group could be accepted by all. The goal of the working group would be to agree on a course of action to facilitate a predictable environment for the insurers and to come up with a presentation that would convince London that our parameters are safe enough to offer reinsurance at affordable rates. Industry officials have assured me there would be much to talk about and any solution could be implemented within three months. We are not talking about an extended time frame here at all.

Some of the tort system revisions should be looked at, and in some instances they are being looked at. I will touch on a couple of them. We talked about the Slater task force, and many will be talking about it. I hope some action will be forthcoming as a result of the task force and the submissions the minister has asked for up to July 31, and amendments to the Family Law Reform Act, now the Family Law Act. That seems to be an area where all who have some expertise in the field feel changes are merited.

In 1978, the FLRA gave an injured person's family the right to sue a wrongdoer for the financial expenses incurred by family members and for the loss of the guidance, care and companionship of the injured person. The right to sue is restricted to the immediate family. An amendment to the Family Law Act could be introduced which would further restrict this right only to the very seriously injured.

Mr. D. W. Smith: I want to thank the participants in the debate on this resolution. I have one response to the member for Welland-Thorold. The minister stated in the April issue of the *Canadian Underwriter*, "Personally, I am not

in favour of government insurance, but I want the task force to look at it because this may be a viable alternative." We are looking at it, and I want to state that.

11 a.m.

I also want to mention a constituent of mine who had trouble getting liability insurance this year on spraying. Last year he paid \$500; this year they asked him for \$3,500 for the same premium. Working around with the different insurance companies, we were able to get that insurance for him for \$250, which I found almost unbelievable. If we look around, we can find companies out there that are still negotiating. I do not want to see the government having to get involved, but the message has to go out that things have to change a bit or else a lot of people are going to be out of business and a lot of events we have become accustomed to are not going to take place.

SMALL BUSINESS IMPROVEMENT LOAN

Mr. Wiseman moved resolution 45:

That in the opinion of the House, the government, through the Ministry of Industry, Trade and Technology and the Ontario Development Corp., should make available a small business improvement loan. The purpose of this loan would be to assist businessmen who have been established at least five years to renovate or enlarge their premises and allow them to upgrade existing fixtures. The loan, to a maximum of \$50,000, would be payable within 10 years, with a loan under \$25,000 to be repaid in five years, at an interest rate of two per cent lower than prime. This initiative would provide Ontario's service industry with a means to improve its facilities without penalizing present borrowing rates while increasing business and enhancing consumer conditions.

Mr. Wiseman: I bring forward and speak on this resolution because I feel I have earned the right to do so, having been a small businessman for 35 years in an owner-operated business. I spent a good part of that time as chairman of the retail merchants in my area. In the past 15 years, I feel I have earned the right, because a lot of my constituents have come to me with suggestions for something similar to what I am recommending today. With my years of experience as a member and my years in the business field, I feel I have earned the right to speak on it.

I would like to share with the members some of my reasoning for bringing this forward now. The \$50,000 maximum falls into the category that

most of the people who have come to see me have had in mind. Some may feel it is a little low, but \$50,000 should cover the needs of most of the people I have seen.

Five years spent in business will eliminate people who have an idea but who have not had business experience. It might also eliminate some bankruptcies or losses of money that the government might find itself involved in if it were in a scheme of this sort. The five years would be a protection for government. Anyone who has been in business for five years will not let it go down without a lot of hard work.

The two percentage points below prime is justified to give the service industry and small business a shot in the arm. Many people in small business have been trained by the owner-operators of businesses. Many people out in the field today have had a lot of money spent on them in secondary education, colleges and universities. For the most part, these others have not had that money spent on them. The government is spending \$150 million on retraining people, but that will not retrain the people I am talking about this morning; they are trained on the job by the owner-operators.

If the loans are administered by the Eastern Ontario Development Corp., the Northern Ontario Development Corp. or whatever, a lot of people will not be needed to administer this. I believe it could be done by a couple of people. It would be their job to review the applications before they went on to the bank for the loan guarantee. It would work two ways. We used to have a program with the Ontario Development Corp. where it went out and assisted small businesses in looking after their cash flow and one thing and another. That worked well for the first time around, but there was no follow-up. This way, they would build a rapport with these people from the ODC that would carry on after the loan and would help small businessmen to look after their cash flow, their purchases and so on.

The benefits I see to government would be the added sales, the seven per cent in sales tax and added employment.

Going back to my own experience, every time we restored one of our businesses, business increased; not only in sales but to the point where we had to hire a part-time or full-time person. Those jobs, as we can see by taking the two per cent off the prime, are a lot less expensive than most of us know it is costing to create jobs in industry. I am sure the present government is looking very favourably at some sort of assis-

tance to industry, whether it be loan guarantees, interest-free loans for certain periods or a grant. Those jobs are costing \$25,000 to \$30,000 or more per job. Many of them are in some sort of trainee position; they have to pay for training at the end of that time as well. This would help in that way.

I mentioned the seven per cent sales tax.

We also know the people from whom we buy those goods might have to enlarge their staff at the factory where it is produced, and all the goods and services that go into whatever commodity is being sold. Again, that is a payback to government. In communities the size of the towns I and many of us have in our ridings, it would help in the goods as well as the other fixtures that go into repairs and alterations. Carpenters, electricians, people in the lumber yards and so on all benefit by that, and each time they do, the government gets a payback of the seven per cent or the added employment, which probably puts them into a better tax bracket as well.

The federal government has a program I was not aware of when I brought this forward. I went in and talked to two bank managers last week and I asked them about the federal program. They thought at first it was similar to what I am recommending here, but when one looks at it, it is not.

The federal program is one per cent above prime and, over and above that, one has to pay a startup fee to the bank of \$500. One probably has to have one's place remortgaged. The bank wants a first mortgage on that, not a second; so if one already has a first mortgage, one has to arrange to have it stood down to a second and let the bank have the first.

11:10 a.m.

I said: "Be honest with me. On a small loan of \$25,000 to \$50,000"—and the federal program's goes to \$100,000—"how much upfront money would it cost a small businessman to get started in that?" It is a minimum of \$1,500, over and above the one per cent above prime. I said: "Tell me one thing further. Have you given many of these?" Both bank managers said: "No, we have not given many of these. We only keep it to use if we are a little shaky about lending it to this person; we are guaranteed 85 per cent of what we loan out."

Looking at that program, it is much different to what I recommend here. This would be a loan guarantee. Many of us here, the member for Grey-Bruce (Mr. Sargent) and a few others, know what it is like to go to the bank and have the manager look at our statement and set our credit

for the year, whatever that credit might be for operating.

Going back to when I started from a pretty humble beginning and needed every penny to get ahead, I found from personal experience when I started to renovate my places, as I mentioned about every 10 years, I had to rob Peter to pay Paul. I took away from my operating money to do the upgradings. I might have got away with that in the past because of interest rates and one thing and another, but with interest rates fluctuating as they have in the 1980s, I do not think one can do that today.

Small businessmen have got themselves into problems in the past because they have borrowed against their operating money to enlarge or upgrade their premises and then found they did not have the money to buy the goods and services to help to pay the added wages plus the added cost of paying off the loan for upgrading their premises.

I have done a survey in my riding through some of the newspapers. I was pleased that many of the small editors went out and talked to the businessmen along the street and asked them what they thought of this program. For the most part, it was very well received. They all said they had never had any assistance to help them in their business in the past and they thought it would be a good thing, that the government should do it and that the cost of setting this up would be minimal.

I have jumped around in my notes, but I feel that talking from the heart and talking from experience is the best teacher. As members look this over and talk about it, if they have any questions to address in their remarks, I hope they will do so.

Speaking as a member sitting in my office listening to people who come in to ask me for loans, or whether there are any loans available, I find some of them are in grey areas. We always send them down to the Eastern Ontario Development Corp. in my area to see if they qualify, but the majority of them do not. Many of them are the small businessmen I have mentioned here this morning, who fall into the category of this \$50,000-loan guarantee.

It is frustrating, and it must be frustrating to other members in the House, to have to say to these people: "I am sorry. We have done a lot to help businessmen in the government, but we do not cover that part. We cover industry, secondary industry or tourism, but we have never done anything for the very small businessman." I am talking about people with probably fewer than 10

employees, but it could go even a little higher than that.

I hope all members will support this resolution. I know the government will be looking at the cost of this program. I am fully aware that we should keep costs in mind and I have always, throughout my 15 years in government, tried to hold costs down. I believe if they look at it in the way I think they should, they will see this program will not cost a lot of money.

As I said before, it will cost much less than it costs industry, where it costs \$25,000 to \$30,000 a job. There would be no training by the government, no added expense; training in most cases would be by the people on the job. There would be added jobs, incentive, more sales, with the sales tax paid back to the government. With the added jobs and the payback to the government, I believe it is well worth while. I would be interested in hearing what the other members have to say. I know I still have a few minutes left, but I feel we might as well give them all meat and no potatoes.

The Deputy Speaker: Thank you. That means you are reserving the remainder of the time for your windup.

Mr. Ramsay: I appreciate the resolution today from the member for Lanark. As a fellow member with constituency work, I especially appreciate his concluding remarks. I too have small businessmen coming into the office and I find that when one goes through the programs, many small businessmen seem to fall through the cracks of the various programs we have.

It is very frustrating. If one is starting a business or if one is in the right line of work, there seem to be some programs there to help; but if one is basically in the service industry and the business has been in existence for a couple of years and one desires to expand, these are the people which own the bulk of small businesses and seem to be in trouble in getting any sort of government aid.

I support this resolution wholeheartedly and I encourage other members of the House to do so. It would do a lot for the growth of this province if we had this type of program. It is not a grant, because small businessmen do not want grants, but they would like to be able to borrow at a reasonable rate. What we have had lately are interest rates running at basically seven per cent above inflation. In real terms, we have very high interest rates still in this growth economy we have now and it is still a hindrance to many small businessmen who want to enlarge or expand their operations. With that comes greater productivity

and growth in the number of jobs. Also, as the member for Lanark says, there are greater returns to the government in the form of sales and small business taxes.

It is frustrating for small businessmen. They feel bitter because they have made it on their own and now would like to expand. In some cases, they would like to expand because there is a new business just down the road that got started through government money, and they feel bitter about that. That is understandable because they have been in the community all those years and have established a business, and now someone from the town who has received new money from some new program comes in. They do not feel that justice has been served.

There has to be something for the people who are there, who, because of competition, want to expand their businesses. It is frustrating because there are many programs. We have a plethora of programs in the province, but I find so many people who come to my office fall through the cracks of all these programs.

The member mentioned the Ontario Development Corp. We in the north have our own, the Northern Ontario Development Corp., as he has his in the east. It deals with export sales, plant and equipment expansions, product improvement, particularly in high technology, and tourism. Again, these are not for the bulk of small businesses which service the service industries.

The new government program, the small business development corporation, is again primarily engaged in the manufacturing processes and tourist activities, book publishing, research and development, the development of computer applications or systems software, mining, forestry, etc. What about the average small town business that has three or four people? Maybe it is a furniture store and it would like to expand into a bicycle repair shop and have some capital to expand its facilities. There is nothing for those people.

Programs especially designed for the north, such as the northern Ontario regional development program, for instance, are good for the people they serve, but so many of these small business people fall through the cracks of these programs and are not included.

11:20 a.m.

It is wrong and it is hurting the economy. We have a group of business people who create the bulk of the jobs in this province. According to a Department of Regional Industrial Expansion study, small and medium-sized businesses had a

net job growth of about 375,000 between 1978 and 1982. In contrast, big businesses created fewer than 50,000 jobs during the same period. This is specifically targeted to the people who are the generators of job creation in this province and this country.

If we look at tax breaks, the deductions, exemptions, write-offs and credits for big business increased in the last few years while they declined for small business. We have not been paying attention to small business people. The effective federal tax rate for smaller firms remained relatively unchanged at about 22 per cent between 1977 and 1981. The effective rate for big business declined from 18 per cent to 14 per cent. We seem to be giving all the breaks to big business and not to small business, and that is wrong.

If we look at job growth, in companies with one to 19 employees the percentage of net job growth was 86 per cent between 1975 and 1982. It is that very small businessman who seems to slip through all these programs; yet he is the person who creates most of the jobs. For instance, if every small business in Ontario could hire one additional employee, we would create 250,000 jobs. To put that in perspective, we would accomplish the same thing as setting up six companies the size of General Motors, and it would be much easier. Lending money at a reasonable rate is a very cost-effective way to stimulate job growth at no real cost to the province.

I have many case studies in my file of people who are not served by the program today. I received a letter a few months ago from a person in Englehart who had started a small country store on his own a few years ago. He would like to expand because a new establishment has received a grant to start up; yet he cannot get any money to expand in competition with that other business which got started with government help. These people see a real injustice in the system, and I think they are right.

A program like this is reasonable and cost-effective. It would generate jobs and other income for the province. It would stimulate a lot of growth in a very simple way and encourage a lot of people to go into business for themselves. It would encourage those who are already in business to expand and provide jobs for other people in this province.

I encourage other members of this House to support this resolution. I certainly do. Let us hope when the votes are counted at 12 o'clock today this motion passes.

Mr. Ferraro: It is with great pleasure that I rise to speak on this proposal by the member for Lanark. He has a right to speak on it because of his interest and experience, first and foremost in small business.

In that regard, let me say I suspect my background, which has been in the area of banking, mortgage lending and personal loans for the past 13 and one half years, gives me some right to speak on it. As the parliamentary assistant to the Minister of Industry, Trade and Technology (Mr. O'Neil), I am furthering my interest in that regard. If the House does not know, I have two other titles: chairman of the committee of parliamentary assistants for small business and small business advocate for Ontario. If I get another title, I can legally be declared a library.

Mr. Ramsay: Conflict of interest.

Mr. Ferraro: In this particular case, I may have a conflict of interest, but I think it is one that is acceptable to all members of this House.

The member speaks from his heart and his experience. I was listening intently when he spoke. Quite frankly, I had not made up my mind whether I was going to support him or not. I was leaning towards not supporting it to a small degree and I hope I will be able to justify that in my ensuing arguments. I know this is private members' hour, but if I could vote entirely on the basis of sentiment or intention, it would be without hesitation. It is the content that I have some concerns with.

A small business in Ontario has fewer than 100 employees. I could go on and give statistics for the next 10 minutes. There are roughly 315,000 of them, employing 1.7 million people and affecting the livelihood of 4.5 million people, when one counts the families in Ontario, or roughly half the population of Ontario. In the past 12 months, 99,000 new small businesses were created. There were 185,000 new jobs created in the past year, generating more than \$500 million in new investment.

Sixty-five per cent of our young people—they classify young people as being less than 24 years old, but I am not necessarily sure I agree with that—get their first job and are employed by a small business. One quarter of all new businesses are started by women, and the women of this province will be happy to know that our recent statistics have proven they are much more successful business people than men. People under the age of 30 started more than 40 per cent of the new small businesses in 1985. Eighty-five per cent of the small businesses, roughly 268,000

of the 315,000, employ fewer than nine people; and 70 per cent, or roughly 220,000, employ fewer than five people.

The members are right on when they say too much attention has been given to the big corporate entity in the past. The little guy has been carrying the freight. From 1978 to 1982, which are our most recent statistics, net jobs created by small business was 90 per cent of the overall total. The little guy carried the freight. Let me expand on that a little bit. In that same period, those employing more than 100 people created 11 per cent of the net new jobs. Those employing from 20 to 99 people lost 10 per cent. Those employing one to 19 people created 89 per cent of the net new jobs. The little guy carried the freight, and we have not acknowledged it to the degree we should have.

We started that with our new ventures program. I could spend a whole hour talking about that. The member is addressing the problem of the little guy who is in that predicament and wants to expand but is not getting enough attention. That was addressed by the other member as well. We started that with the new ventures program. There are three main reasons for failure in business today: poor managers, poor management and lack of working capital. New ventures forces all three to be addressed, but I do not want to get into that particular program in depth. What I want to do is give the member my reasons for not being able to support the resolution on the basis of the content.

One of the first suggestions in the resolution is that there be a loan guarantee. That was an adjustment from the original proposal of direct loans. I totally agree with the aspect of loan guarantee. The member for Lanark suggests it be subsidized by two per cent. The Canadian Federation of Independent Business, which represents 80,000 small businesses in Canada, 35,000 of them in Ontario, has taken a poll in that regard and well over 50 per cent of them have said they do not want subsidized loans.

11:30 a.m.

Banks have been accused of throwing out an anchor when one is drowning, but I do not think most members of this House would argue that the banks are not entitled to some profit. I suspect it should be one per cent, with a floating rate or the option of having a fixed term rate. It scares the hell out of me when we starting talking about floating rates. Members will recall that rates went as high as 22 per cent in 1982, and if one had a floating rate of two per cent below prime, one was paying 20 per cent. That was as

detrimental to trying to survive as it could possibly be.

I think there should be an option, and I do not think the member will object to that. There should be either a floating rate or a fixed rate of, for example, two per cent above prime. Those should be the options for the prospective individual. The resolution stresses the fact that a business has to be in existence for five years. Statistics have proved that if a small business can last for five years, it has pretty well made it. During years one and two, the individual usually has enough money to survive. The real problem is in years three and four. In my view, once one deals with startups, as we have had done with the new ventures program, attention should be given to those in years three and four.

When you subsidize rates, there is going to be a situation where the guy who does not get the subsidized loan is going to come to every member of this House and say, "You are creating competition for me unfairly." We would do that by the sheer number of people who would subsequently have to apply for the loans. By creating a situation where we have one per cent or two per cent above prime, either floating or fixed, we would get away with it because it would not be a government handout.

The member indicated, and I appreciate his honesty, that he was not aware of the federal Small Business Loans Act before coming in with this, but he checked it out. I have some confusion. The member indicated there was a \$500 startup fee. My understanding about the Small Business Loans Act, which is not widely publicized by the federal government or by the banks, is that it is directly related to the amount one applies for. The maximum is \$200,000, the average is \$40,000 and the cost is one per cent. If one gets the average loan of \$40,000, it will cost \$400, probably with another \$300 for legal fees. I do not think that is exorbitant to the degree that it would preclude anybody using it.

The only qualification is that it must be secured by goods or real estate. The real problem is that it does not address the working capital issue. There are a lot of programs for building buildings or something, but the real problem is that a guy needs some bucks, some financial advice and some assistance to survive. He needs the money to buy inventory or to hire a salesperson or marketing person. The attention should be given there.

My final concern is the administration costs. Even if it is put under the Ontario Development

Corp., they are exorbitant. It should be left to the banks.

I want to conclude by saying that I vote for the sentiment and intent of the bill, but I have some serious reservations about the contents and I hope to discuss those with the member.

Mr. Sheppard: I am pleased to rise in the Legislature this morning to speak on the resolution of my colleague the member for Lanark regarding the implementation of a small business improvement loan that could be made available through the Ministry of Industry, Trade and Technology and the Ontario Development Corp.

We are all aware, as the Treasurer (Mr. Nixon) so pointedly indicated in his budget last May, that "small business is the most dynamic component of the private sector and creates most of Ontario's new jobs."

Small and medium-sized businesses are the backbone of the Canadian economy, because they make up approximately 90 per cent of all businesses in Canada. Initiatives and incentives were brought forward by the previous government, and many businesses currently in existence would never have been created otherwise. Entrepreneurial opportunities have been expanded and undertaken, thanks to these government initiatives.

At a time when unemployment is still very high, especially in smaller communities, we as government representatives owe it to our constituencies to do what we can to promote and encourage the concept and survival of our small businesses.

The Ontario Development Corp. helps create new businesses, new products, new exports and new jobs. Since 1963, it has helped finance more than 6,000 Ontario businesses. It encourages the entrepreneurial spirit in our province. The ODC is there to share the risks and to provide services to the entrepreneurs to turn their good ideas into practical projects as we help to expand businesses with high growth potential.

During the 1984-85 fiscal year, according to its annual report, the ODC approved 665 loans and guarantees totalling \$61 million for small and medium-sized industrial enterprises. These statistics underline the importance of the small business community to Ontario's economy. They also reflect, however, the growing importance of self-employment in owner-managed businesses as an important reality in a changing society.

We must realize that the emerging generation has a significantly different perspective on economic opportunities from that of the genera-

tion approaching retirement. Younger workers can now expect to engage in several careers in their working lifetime. The implications of these trends for social mobility and economic flexibility underline the importance of ensuring that economic policies recognize and accommodate the realities of small and medium-sized businesses.

The resolution proposed by my colleague appears to be the natural extension of an existing successful entity. As we know, the development corporations provide most of their financial assistance in the form of direct loans to new and existing businesses when funds are not available from conventional sources on reasonable terms and conditions.

We must be realistic and realize that this small business improvement loan, if funded solely by the government, would be very costly. We also know that the ODC currently makes every effort to secure funds from private lenders. We may view this as a viable alternative solution to strictly government funding.

In the throne speech in April 1986, the Liberal government promised to co-ordinate and target its efforts to accelerate growth and to open up jobs and opportunities for Ontarians. Furthermore, the Liberal government promised it would expand opportunity for small businesses and entrepreneurship because, as I have stated before, small business is directly responsible for most of the new jobs created in the past decade. The government also promised to introduce several measures to enhance the competitiveness of the vital small business sector.

This resolution is a means by which the Liberal government can fulfil its throne speech promises. Small business improvement loans would be available for the purpose of financing existing businesses in various aspects, such as the renovation, improvement, modernization and/or extension of premises or the purchase of insulation, renovations, improvement or modernization of equipment.

With the aid of small business improvement loans many small businesses, such as Amara Company Ltd. in my riding of Northumberland, can continue to expand and revitalize their company, thereby enhancing the province's overall economic growth. Regardless of how the small business improvement loan is implemented, through either private lenders or government funding via the Ministry of Industry, Trade and Technology and the ODC, we must provide Ontario's service industry with a means to

improve its facilities while increasing business and enhancing consumer conditions.

Let us remember that small and medium-sized businesses are the backbone of some of our rural ridings. Therefore, we must do what we can to support and facilitate the continuation of this very important sector. I ask that everyone in the House this morning support my colleague's resolution.

11:40 a.m.

Mr. Morin-Strom: I am pleased to have an opportunity to speak to the resolution presented by the member for Lanark. The resolution is very interesting, one in which the sentiments are such that I support the intention of the member in wanting to encourage and assist small business to thrive in Ontario. However, I have some concerns about some of the specifics included in this resolution. I do not have formal remarks written up, as the member for Northumberland (Mr. Sheppard) had, but I do have several points I would like to make on this resolution today.

I am somewhat concerned about the priorities indicated in this resolution. The resolution appears to be an attempt to assist small businesses, but I do not think it is assisting them in the areas of encouragement we need most desperately in our economy, most fundamentally in the area of job creation. I and my party historically have said that government assistance or tax breaks to business should be provided only when tied to job creation.

The major economic priority for our province today is to create employment opportunities so that everyone who is willing and able to work will have the chance to do so. We have to encourage those economic policies that will ensure we have full employment in the years to come. Simple handouts to businesses and breaks in financial support, which this offers by providing a two per cent lower interest rate than they would be provided with otherwise, are not specifically going to assist in job creation.

I am particularly concerned that the purpose of this resolution is stated to be that this loan is to be established "to renovate or enlarge the premises and allow them to upgrade existing fixtures." Down in the last sentence it is reiterated: "This initiative will provide Ontario's service industry with a means to improve its facilities without penalizing present borrowing rates," etc. There is no mention whatsoever of the need to create jobs and to tie such financial assistance to assurances that there will be additional employment generated by the investment the businesses

would be making in either renovating or enlarging premises.

I find it interesting as well that the type of assistance provided here, particularly in terms of the lower-than-prime interest rate, contradicts a principle supported by even the Canadian Federation of Independent Business, which has shown in its surveys that businesses do not like to see such broad-ranging financial incentives and handouts being made as a wide-open scheme to all businesses.

The concern is that if one business in a given field applies for and gets such a loan, it becomes incumbent upon everyone else in the same field to do so as well. If one business, say a motel or a restaurant, has the opportunity to borrow \$50,000 at a rate two per cent below prime, it gets a competitive advantage against everyone else in the field. It then creates pressures for everyone else to do the same thing. It becomes a handout from the public purse, two per cent of those borrowings, to a virtually unrestricted number of businesses, which can apply for that financial assistance.

We have to gear programs that are more restrictive and more specific to ensure that the money provided to encourage small business development gets used in the most productive way possible. To do that, the money should be very closely tied to job creation projects.

The other point I find somewhat discriminatory in this, and it is a concern to people starting out in new businesses or trying to get businesses off the ground, is the restriction to assist only businesses that have already been established for at least five years. In terms of what we are talking about, that is one of the most common complaints I hear from new entrepreneurs who are trying to get into the field of operating their own businesses.

Small businesses start up every day, and a very large percentage of small businesses are less than five years old. It is quite discriminatory to suggest that only well-established businesses should be able to get financial assistance from government, particularly against those who are trying to create new enterprises, new ventures and employment for themselves and others within this province.

In summary, I think such a broad, general plan as this could be subject to the charge that what we are doing with such a program is providing socialism for the wealthy. We are saying that those businessmen who are already well established and have had businesses going for five years will be eligible for additional assistance

and a financial handout representing at least two per cent, and perhaps more than two per cent if they cannot borrow at the prime rate now, for \$50,000 of their current or future debt.

I would like to do whatever is possible to encourage new small business development and the growth and expansion of small businesses. The most important aspect of encouragement for small business is the fact that it has been a major job creator in our economy. There is no question about the statistics in terms of job growth in the small business area, and it is in that area we have to continue to focus our efforts as a province.

While supporting the sentiment of encouraging small business, I ask the member to rethink his motion. Perhaps at a later date he or the government will be more inclined to provide us with incentives tied directly to job creation to ensure that we do provide the jobs we need throughout Ontario. In my own case, there is a definite need for job creation in northern Ontario and in Sault Ste. Marie. That is where the economic resources of our province should be focused, and jobs should continue to be the major concern of our economy.

I hope that is where the government will focus its attention, rather than on such a broad, general resolution as is provided to us today.

11:50 p.m.

Mr. Mancini: I note that my time is limited. Unfortunately, I will not be able to make all the comments I want to make on the resolution introduced by the member for Lanark. Most of us who have been in the Legislature for a number of years have gotten to know the member for Lanark quite well and know of the seriousness with which he takes matters such as small business. We do not want in any way to discourage his activity, as a former businessman, a former member of the cabinet and an active member of this House, to promote the needs of small business. We need people in this House who want to advocate the problems of small business.

However, the things the honourable member wants this government to do are being done in some cases, and in others are being done in a different way, which I believe to be a better way. The moneys he is asking for are to renovate or enlarge premises and to upgrade existing facilities. I believe it has already been mentioned in the House this morning that the Small Businesses Loans Act, operated under the auspices of the government of Canada, provides up to \$200,000 of that type of funding.

The member indicates he would like a lower interest rate for these loans. It has also been

indicated that the representatives of the small business community feel that would be unfair. The member does not tie any direct job creation to his proposal, something I believe to be very important.

The member for Northumberland sat as a government member for four years and evidently was not able to get anything done for small business through his government. He seems to want to spend his time criticizing this government while not knowing what positive action it has taken. The small business committee, which is made up of a number of parliamentary assistants and chaired by my very capable colleague the member for Wellington South (Mr. Ferraro), has been extremely active in reviewing the problems of small business. He has also been named a small business advocate, which has received very favourable reviews within the small business community.

The new ventures program the small business committee was able to put forward to the Treasurer, who was able to accept the proposal although he was short of funds at the time, shows our government's commitment to small business and particularly to the creation of new businesses. We know jobs will be created when new businesses are formed. We have tied the moneys we will be giving to these new small businesses to job creation.

The other special thing I want to mention about the new ventures program before my time expires is that we made special arrangements for northern and eastern Ontario. I am surprised someone such as the member for Northumberland has not stated that we need special arrangements for the people in eastern Ontario. I am surprised he has taken his time only to give a campaign speech perhaps.

Interjection.

Mr. Mancini: Is the member off and running for the campaign? Is that what he wants us to do? I do not understand.

We understand where the member for Lanark is coming from, and we commend him for his effort to try to advocate good things for small business. We need a viable small business community in this province; we would like it to prosper and grow.

Mr. Speaker: The member for Lanark has a little more than five minutes to wind up.

Mr. Wiseman: I thought I had a little left over there.

I thank the member for Timiskaming (Mr. Ramsay) for his remarks. We can tell the

businessmen in the Legislature when they come out with remarks such as he did.

I was a little disappointed in the remarks of my friend the member for Wellington South. I know he is a businessman, he was a bank manager and so on, but he left out a little in some of his remarks. I am sure he did not do it intentionally. When he gave credit to small business and showed how successful small businesses with 19 and fewer employees are, how many jobs they are creating and so on, I thought at that point maybe he was going to support the resolution.

Mr. Sheppard: He should support it.

Mr. Wiseman: I think his conscience would like him to, because he is a fairly reasonable person, but perhaps other members on his small business board would not allow him to.

However, the member did make a mistake—I guess he has been away from banking for a little while—when he said the federal loan was \$200,000. As of last week, both bank managers whom I went to see in Perth said the maximum was \$100,000. The member also gave a figure of \$300 or so for a setup fee. Those bank managers in my area said it is more like \$500. The member knows, if he wants to get right into it, that an appraisal has to be done and the appraisal is on top of that. He did not mention that. He mentioned the lawyer's fees of \$300, and some small businessmen need to include an accountant.

When we look at who is right, I think we will find it would probably cost a small businessman approximately \$1,500 to set up, as my bank manager told me, on top of the one percentage point above prime. There is also the problem of trying to get the person who holds the first mortgage to take on a second mortgage while the bank takes the first. However, I do not want to waste a lot of time on that.

Regarding the five years' experience, both the member for Wellington South and the member for Sault Ste. Marie (Mr. Morin-Strom) wondered why it should be five years. When I spoke before, I said I am interested in costs. I am also interested in these businesses being successful. As the member for Wellington South said, if one is going to fail, it will probably be in the first three or four years. I was looking for government to provide a cushion so people who survive have a good chance of paying back the dough to be put in this program.

Regarding the two percentage points below prime, I was not thinking of the bank reducing its profit; I was thinking that would be the cost to the government.

The member for Sault Ste. Marie mentioned creating jobs. Perhaps I was not clear enough, but this will create jobs. It has been my experience for 35 years that every time I have done this in my own business, I have increased the number of jobs, whether it was a part-time job for a lady who needed money for her home or a full-time job. I can cite from personal experience where that has happened.

I know it must help the factories from which small businesses buy. They have to increase their purchase of goods. There may be employment at the factories. As well, jobs are created at the local level—nobody seems to have heard me the first time—where they are doing the actual work on these repairs: the carpenters, the electricians and so on. That is extra employment. Those people are going to pay extra taxes and so on. I was trying to cover the recovery cost for the government as well.

I get a little emotional about this because we are all talking about helping the small businessman, but all we seem to do most of the time around here is give him lipservice. I say that to the member for Essex South (Mr. Mancini). He is in government now and on this committee. Why does he not do something else besides give lipservice? He comes to eastern Ontario saying he will create jobs, but he has not done that at all.

Mr. Sheppard: All talk and no action.

Mr. Wiseman: Yes. All talk and no action.

The member for Essex South was a small businessman. He should know what is at stake. I do not blame the member for Sault Ste. Marie. He has not been here long enough and he has not been in business. He has been in a protected business. I think he was teaching. They get their cheques whenever they come. However, a businessman who has to go out and scratch for it is a different story.

Mr. Ferraro: What a low blow.

Mr. Wiseman: Is he not a teacher?

An hon. member: No, he is not.

Mr. Wiseman: He is one of the few who is not. However, from the remarks he made, I bet he is not in business.

I ask all members to look at this and vote with their hearts.

12:05 p.m.

INSURANCE RATES

The House divided on Mr. Smith's motion of resolution 46, which was agreed to on the following vote:

Ayes

Andrewes, Barlow, Bernier, Bossy, Cordiano, Dean, Epp, Ferraro, Gillies, Gregory, Henderson, Hennessy, Jackson, Lane, Mancini, Marland, McCague, McFadden, McGuigan, McKessock, McLean, McNeil, Miller, G. I., Morin, Newman, Nixon, Pierce, Pollock, Rowe, Runciman, Sheppard, Smith, D. W., Smith, E. J., South, Stevenson, K. R., Villeneuve, Ward, Wiseman.

Nays

Baetz, Breaugh, Bryden, Callahan, Charlton, Foulds, Gigantes, Hart, Hayes, Knight, Laughren, Mackenzie, Martel, McClellan, Morin-

Strom, Philip, Polsinelli, Ramsay, Reville, Sterling, Swart, Taylor, Wildman.

Ayes 38; nays 23.

**SMALL BUSINESS
IMPROVEMENT LOANS**

Mr. Speaker: Mr. Wiseman has moved resolution 45.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The House recessed at 12:11 p.m.

AFTERNOON SITTING

The House resumed at 2 p.m.

SUPPLEMENTARY ESTIMATES

Hon. Mr. Nixon: I have a message from the Honourable the Lieutenant Governor signed by his own hand.

Mr. Speaker: Lincoln Alexander, the Lieutenant Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1987, and recommends them to the Legislative Assembly. Signed by Lincoln Alexander, July 3, 1986.

MEMBERS' EXPENDITURES

Mr. Martel: On a point of privilege, Mr. Speaker: It is not often that I have raised a point of privilege in all these many years.

When I finally make the front page of a newspaper back home, it is a miracle, especially when it is with a picture. When the headlines say, "Martel Top Spender Among MPPs," I have no objection. Frankly, I have no objection to the report indicating the amount I have spent to look after the needs of the people I represent. As a former member of the Board of Internal Economy, I tried for years to get the board to put in what is correct and what is not correct. This is a total and complete distortion of what goes on.

Perhaps I can draw to Mr. Speaker's attention that there are people who spend \$6.02 for postage, people who spend zero for stationery, people who have chauffeur-driven limousines and who week after week show no cost in getting to and from home. A member gets headlines that compare him to the Premier because the Premier spends \$81,200 and the member spends \$158,000, even though the Premier has an account of \$2.5 million down the way. This has gone on long enough.

When they were in the opposition, I recall Liberal member after Liberal member, such as my friend the member for St. Catharines (Mr. Bradley), objecting to this type of reporting. It is not the fact of reporting; it is the total lack of truth in this report. This must go to the standing committee on the Legislative Assembly so that we can find a proper process where all the money spent personally on behalf of members, and I do not care whether they are cabinet ministers, shows up in this annual report. Otherwise, it is a total distortion that is conveyed by the press to

the public. It is time this stupid little game stopped.

Hon. Mr. Nixon: I have not heard these speeches since last year. I want to point out that the expenses for all members of the cabinet are listed in the Public Accounts in due course. The honourable member even indicated that the Premier's office has an additional \$2.8 million. It was debated just a week ago and roundly criticized, even though it is substantially lower than last year. It is possible that a fairer way of reporting these expenditures might be brought forward. Perhaps instead of being alphabetical, it should be listed in order of amount.

Mr. Callahan: On a point of privilege, Mr. Speaker: I did not have the pleasure of being the top spender in Brampton, but the Brampton paper fell into exactly the same trap mentioned by the member for Sudbury East in that it listed former Premier Davis as having spent only \$186 out of his riding office during the period of his term. I tried to explain to the press that would have been all through the Premier's office. I would file the same objection as my friend that the press distorts the facts.

Mr. Harris: In addition to the comments raised by my colleague the member for Sudbury East, with which I am not unhappy associating myself when the way the information is reported is misleading, there is in addition this year, as I do not recall in any other year, a category called "constituency staff," in which Queen's Park staff and legislative staff are included. When that goes to the newspapers back home, it will appear as though all the money is being spent on constituency staff and the newspaper wants to know where all this staff is. When it is done that way, it appears that although this new government objected to the way the reporting was done before, it has gone even further to distort the facts of how money is expended.

I would suggest that while the former government was in the throes of cleaning up this mess, this government has taken it even further into distortion and something ought to be done about it.

Mr. Speaker: It has been a most interesting discussion and I would remind the member for Sudbury East—in fact, all members of the House—that the Speaker and the Board of Internal Economy have authority over expenditures through the Office of the Assembly. We have no

authority over the expenditures in the ministries. It is up to the House to decide what should be done in the future. I appreciate the member bringing it to the attention of the chair; however, I cannot understand it being a point of privilege.

Mr. Martel: If I may just take it one step further—

Mr. Speaker: Order. I listened carefully to the member's point along with comments of other members and I do not feel that it may be a point of privilege. The honourable member had the opportunity to make his point. Order.

Mr. Martel: May I ask a question then?

Mr. Speaker: No. The member certainly may not.

Interjection.

Mr. Speaker: No. Order. Would the honourable member take his seat.

2:08 p.m.

MEMBERS' STATEMENTS

WASTE DISPOSAL

Mr. Sheppard: If you will recall, Mr. Speaker, on May 1, 1986, I made a statement in this House expressing my opposition to the siting of low-level, radioactive waste disposal facilities near the town of Port Hope. The people of Ontario and the people of Northumberland want to be assured that the disposal of any radioactive materials is done in the safest possible manner.

I believe it is absolutely necessary for the federal government to launch a national search for a permanent, low-level, radioactive waste disposal site. This site should be far removed from population centres and Lake Ontario.

Once again, I urge the Minister of the Environment (Mr. Bradley) to exercise his provincial responsibility to ensure that any site chosen by the federal government is safe for the permanent storage of hazardous wastes. Furthermore, I urge the minister to exercise his influence in a manner that the federal Minister of State for Mines be requested to honour the commitment of the Prime Minister on August 21, 1984, to ensure that such radioactive waste be stored in a location removed from major population areas and kept well away from major water resources such as Lake Ontario.

POLICE TRAINING

Mr. Mackenzie: A number of years ago in this House, I requested the previous government that the Solicitor General and the Minister of Labour of the day work together to arrange for the participation of labour through the Ontario

Federation of Labour during training programs for police officers at the Ontario Police College in Aylmer.

The purpose was to make sure that police officers have a better understanding of the feelings and rights of workers in a legal strike in Ontario. This mutual respect is particularly important in regard to new Canadians and women. It is important to ensure both fairness for the workers and respect for the police during a legal strike situation.

For a short time, this participation by labour was included in the training program, and I have some reports that it was a useful initiative. Unfortunately, this stopped some two or three years ago and is no longer included during police training.

I urge the Solicitor General (Mr. Keyes), the Minister of Labour (Mr. Wrye) and their government to reinstitute the practice whereby officials or members of the OFL are included in the training program at the police college in Aylmer, so there is a better understanding among police officers of the situation in which workers find themselves during a legal strike.

INTERNATIONAL PLOWING MATCH

Mr. Pollock: I want to take this opportunity to remind all members of this House that on September 16, 1986, the International Plowing Match and Farm Machinery Show will open just north of my home town of Stirling in the riding of Hastings-Peterborough. The show, which has traditionally been very popular, should prove to be spectacular again this year. Many events have been planned, and I want to invite everyone to the official opening at 2 p.m.

I am also challenging all members, particularly city members, to a plowing match competition, which will be held following the opening ceremonies. There will also be a parade; quilting, sewing and cooking exhibits; antique and farm machinery displays; a queen of the furrow competition and much more.

I hope to see everybody there. I will be sending all members a letter with a questionnaire and I would appreciate their response.

PRISON FACILITIES

Ms. Bryden: I want to draw the attention of the Minister of Correctional Services (Mr. Keyes) to a statement made by the Ombudsman, Daniel Hill, in his 1985-86 report, which was tabled last week. The Ombudsman stated, "I find it repugnant that in the 1980s in Ontario we are still housing inmates in cells that are seven feet

deep, 32 inches wide and seven feet high, have no running water, toilet facilities or interior lighting."

Earlier this session, I drew to the minister's attention the case of an elderly inmate who was confined in such a cell for 85 days this year in Millbrook Correctional Centre. I pointed out that it was inhumane in the 20th century to continue to use this kind of cell for any inmate, regardless of the nature of his crime. I am glad the Ombudsman agrees with me after his recent visits to seven provincial correctional institutions.

I am asking the minister to make an inventory of the number of such cells in all our correctional institutions and jails throughout the province.

RED MEAT PLAN

Mr. Stevenson: There is much dissatisfaction—

Mr. Callahan: Is this going to be partisan?

Mr. Stevenson: No. There is much dissatisfaction and confusion with the tripartite stabilization program signed and negotiated by the Minister of Agriculture and Food (Mr. Riddell). The low rate of sign-up is clear indication of the confusion. The government should consider ways of altering the program to improve it and make it more appealing.

One initial move I encourage the minister to consider is to waive the \$6.60 per animal fee for the slaughter cattle program and to have it subtracted from the expected payment for the second quarter.

Other governments in Canada have taken special actions to address the special needs of farmers in Canada in the 1986-87 production year. Such special actions have been noticeably absent from this government. Farmers who need protection the most have no cash to put up front for anything. These are unusually harsh times, and it is going to take special actions to resolve the farmers' current situation.

MEMBERS' EXPENDITURES

Mr. Martel: I want to return to this little subject because Mr. Speaker would not let me finish what I was driving at.

Mr. Speaker, previous Speakers have used the same argument you presented, that you cannot deal with expenditure in a cabinet minister's office. It does not come under the funds of the Legislative Assembly. It is my understanding that when one talks about expenditure for members, there is a formula that is supposed to be used which would indicate the transfer of funds for ministers using mail and the quantity

and so on for their constituencies and their legislative duties. When it shows up as zero expenditure, one can only suggest that they are not using the formula to show what their expenditures are here.

I do not mind what my expenditures are. I am simply saying there has to be a way of reporting that is fair and honest. Make these birds put in their expenses according to the formula that is there before them. Then we might get the facts. As it is now, it is a complete distortion.

INTERNATIONAL PLOWING MATCH

Mr. McGuigan: I want to congratulate the member for Hastings-Peterborough (Mr. Pollock) on the fact that he announced the International Plowing Match is going to be in his county. I notice he is wearing his plowing match jacket today. I want to warn him I won the title of the worst-dressed man in this institution for wearing the jacket of Kent county in 1979 and the jacket of Elgin county in 1985. I challenge him. He will have to go a whole lot further than one plowing match before he is going to take the title away from me.

RENTAL ACCOMMODATION

Mr. Cousens: On the one hand, I would like to thank the Minister of Housing (Mr. Curling) for the good news of 143 rental units for Richmond Hill. On the other hand, may I say how sad it is that we did not find out about it a little sooner. The mayor did not know about it. The planning department of the town did not know about it. The Richmond Hill-Thornhill Liberal, a good paper in spite of the name, did not appreciate all the ramifications of this. I suggest, with great respect, that better communication should come from the ministry to make these announcements.

2:19 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

SENTENCING OF POLLUTERS

Hon. Mr. Bradley: I am pleased to introduce legislation that dramatically restructures the existing enforcement provisions of three important laws. This legislation amending the Environmental Protection Act, the Ontario Water Resource Act and the Pesticides Act provides for jail sentences and quintuples fines for pollution offences. It also gives the courts the power to strip polluters of ill-gotten gains.

The bill will remove barriers to conviction of corporate offenders and make it easier to

introduce evidence. It will improve the efficiency of enforcement by ensuring that simple requirements to improve environmental quality can be imposed by the court that convicts polluters.

These changes are needed because the current penalty structure is little more than a licence to pollute our air, our water and our food chain.

This is not fair to the people of Ontario, who want a higher level of environmental protection, nor is it fair to the majority of corporations which take pains to obey our environmental laws. I want to protect the competitive position of these good corporate citizens by imposing stiff punishment on the recalcitrant minority which cuts environmental corners to make an extra buck. The changes I am introducing today will make it cheaper to comply with our laws than to violate them.

As Minister of the Environment, I intend to enforce the laws vigorously and evenhandedly. This legislation will help the courts to apply the appropriate level of sanction to unlawful conduct. Minor infractions can be recognized as such and punished appropriately. For flagrant infractions, the courts will have the power to bring down the full weight of the law. The current fine structure fails to reflect the much larger financial resources available to corporations and their greater ability to cause widespread harm to the environment and human health.

We have retained the same fine structure for most offences for individuals, but we now have a separate structure for corporations prescribing higher maximum fines. For the most serious offences, those involving polluting and violating Ministry of the Environment stop orders, corporate fines will be five times as high: \$25,000 per day for first offenders and \$50,000 per day for subsequent convictions.

The option to imprison flagrant offenders will apply to the most serious offences—those involving actual pollution, violation of a stop order and mishandling of hauled liquid industrial and hazardous waste. Where legal responsibility can be proven, corporate directors, employees and agents can be fined as individuals a maximum of \$5,000 a day for first convictions and \$10,000 a day for subsequent convictions. For the most serious offences, they can be imprisoned for up to one year.

The courts will also have the power to impose additional fines to deprive law breakers of any financial gain achieved by polluting Ontario's environment. Thus, the maximum fine for a corporation which pollutes for profit will be the

full amount of the benefits obtained from committing the offence, plus a fine of up to \$50,000. In addition, a person who is convicted of an offence will be subject to higher fines for a second violation of any of the environmental statutes, not just a violation of the same statute.

Fines will be doubled to \$50,000 for the first offence and \$100,000 for a subsequent conviction for improper handling of hazardous waste which causes actual harm to human health or the environment. This new penalty structure reflects society's increasing awareness that pollution is a serious assault on our wellbeing and prosperity.

In addition to fines and imprisonment, the courts will also have the power to impose orders, similar to a probation order, requiring offenders to take steps to prevent continuation or repetition of the offence and requiring them to rectify the harm caused by the illegal activity. This is necessary because the probation provisions available under provincial statutes apply only to individuals. This provision is needed to ensure that substantial environmental offenders, most of whom are corporations, are subject to appropriate supervision by the courts. The courts will also have the power to order straightforward steps that can be taken quickly to abate and clean up pollution resulting from the offence. This will protect both the environment and the direct victims of the offence.

In another change, if fines are not paid, the court will be able to suspend licences, permits and approvals issued under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act until payment is made. The judicial process will be streamlined to avoid unnecessary expense and delay, without compromising defendants' rights to a full and fair trial. The courts will be empowered to accept as evidence documents and certificates setting out uncontroversial facts, without the need to call witnesses.

The legislation will clarify that corporations are responsible for the conduct of their employees and agents. This will be a strong incentive for corporations to set up proper pollution prevention systems, properly train and supervise employees and provide in contracts with their agents that activities on behalf of the corporation must be carried out in an environmentally sound manner.

The general thrust of this legislation reflects the direction recommended by the Law Reform Commission of Canada. In recent reports, the commission has viewed environmental protection as a fundamental human value and has

advocated more effective sentencing options and tougher environmental laws. I believe the new enforcement structure introduced today will provide appropriate deterrence for offences against the environment in Ontario.

Mr. Stevenson: I wish to respond to the statement of the Minister of the Environment. It is passing strange how two conflict-of-interest incidents can spur the government into action. For the second time in two weeks, we have seen the government trot out its supposed environmental white knight to try to cover its exposed assets.

We approve of the actions the government is taking to monitor substances in the environment and to crack down on polluters. Although I have not had time to state it, the announcement seems quite similar to the one by the member for St. George (Ms. Fish) last year. In June 1985, the present minister said he would have this legislation ready to be brought into the House in three weeks. That is how close the legislation was to being prepared a year ago at this time.

Mr. Gillies: What happened? Rip Van Bradley went to sleep for a year.

Hon. Mr. Bradley: That is a lot shorter than 42 years. We are 41 years ahead of the previous government.

Mr. Stevenson: We should try to get the Ministry of the Environment to monitor the verbal emissions of this minister to see whether they live up to the actions. I think one can be a bit cynical as to whether his government is working on an environmental or political timetable.

While the minister is taking these actions, and as we discussed yesterday in estimates, although we approve of his two announcements in the past two weeks, we stress that he should start putting some of his money into toxicology so we will understand what some of the measurements they are going to be taking mean and so we will have the trained scientists in the future to interpret the measurements of the chemical cocktails we now find in our food, water and air.

Interjections.

Mr. Speaker: Order.

Mrs. Grier: The legislation the Minister of the Environment has promised to table today has been promised for a long time, since 1983 when Peat Marwick recommended changes in the levels of fines and penalties. I would like to say congratulations to the Minister of the Environment that we finally got it. However, I point out that the fact we got it was helped along by a statement in that very famous accord, a statement

that said new enforceable mechanisms were required to establish the principle that the polluter pays. Today, we seem to be establishing that principle.

When we see the actual wording of the legislation, I hope it will contain something about the minimum level of fines as well as the maximum. I regret somewhat that the maximum level for a corporate violation of the pollution laws is no higher than that for the illegal sale of a lottery ticket, but that would be to cavil.

I hope the government House leader will expedite passage of this legislation. The minister has long promised that when I saw it I would smile, and I am happy to tell him I am smiling.

INTEGRATED HOMEMAKER PROGRAM

Hon. Mr. Sweeney: I wish to table before this House a bill entitled the Homemakers and Nurses Services Amendment Act, 1986. The purpose of the bill is to ensure that integrated homemaker services are made more readily available to frail elderly and physically handicapped adults in this province.

Through the integrated homemaker program, homemakers provide personal care and homemaking services to enable frail seniors and physically handicapped adults to remain in their own homes rather than living in hospitals and other facilities.

I announced the program on January 28 this year. It is now operating in six locations throughout the province and, as I informed this House only a few weeks ago, on June 2, it will be extended to include an additional six to eight communities by March 1987. The province will spend \$60 million over the next few years to introduce the program across the whole of Ontario.

The growth and acceptance of this program is further evidence of the widespread community need for integrated homemaker services. It has made necessary certain amendments to the present Homemakers and Nurses Services Act, so that our obligations to this important group in our society can be fulfilled.

The legislation as tabled contains three new and significant provisions.

First, the Homemakers and Nurses Services Act is being altered to permit homemaker services to be obtained without charge by frail elderly and adult physically handicapped people.

Second, the amended act will allow for my ministry and the Ministry of Health to be recognized as providers of homemaker services and thus be eligible to cost share this program with the federal government.

Third, the amendments will allow less costly, but equally satisfactory, services to be substituted for more expensive services. Let me give one example of such a substitution. A frail senior receives the services of a homemaker three days a week, but on one of those days that senior requires some help only with preparation of a main meal; therefore, instead of the homemaker coming in just for that reason, the local Meals on Wheels organization, as a substitute for the homemaker, might provide a hot meal on that day.

These recommended amendments to the Homemaker and Nurses Services Act are designed to help translate into reality part of this province's blueprint for the future. We want every Ontario senior and disabled adult to enjoy as comfortable and independent a life as possible. My ministry and our colleagues in the Ministry of Health are moving closer to that goal through the bill I will table today.

Mr. Cousens: We are pleased to see progress being made with the integrated homemaker services. I am reminded of the title of a book by Massey, *What's Past is Prologue*. The history of our party's concern and interest that has been demonstrated over the years for the elderly, the seniors and the frail is very genuine, as manifested by the Leader of the Opposition (Mr. Grossman) himself in his special task force on human and social services.

The emphasis we have to maintain in this province is to keep people comfortably and happily within their own homes. I am concerned about where these new six to eight sites will be, that they are not all going to be in Liberal or New Democratic Party ridings and that the quality of the service will be as high as possible. It is too bad the government cannot negotiate a cost-sharing program on some of the other important policies that are needed in this province for child care and other things. This is the right emphasis, and I am glad we began it.

Mr. D. S. Cooke: In 43 seconds, on behalf of our party, I want to congratulate the government on the announcement of the introduction of the home services bill. I might point out that our party has been saying for several years that this was going to require legislation. The previous government first promised this legislation back in the 1977 election and finally, nearly 10 years later, we are getting it.

Only one thing seems lacking. There is no clear indication in this legislation whether the Ministry of Community and Social Services is in power or the Ministry of Health is in power.

Obviously, the jurisdictional battle is still in place. Also, \$60 million is not adequate to do a proper homemaker program in this province.

FUTURES PROGRAM

Hon. Mr. Sorbara: Last November I launched Futures, a unique program designed to get thousands of unemployed young people into satisfying permanent employment.

Futures has been an overwhelming success.

[Laughter]

Hon. Mr. Sorbara: I am glad my friends in the Conservative Party agree with that.

It has put young people into jobs where they are taught the skills they need and that employers need. They gain experience that, for many, has already led to permanent employment. Since November last, 33,500 young people have signed up, and nearly 70 per cent of these are either back in school or working permanently, or both. I am also pleased to report that more than 2,500 young people have already taken up the challenge of our guarantee option. We expect to more than double that number before the year is out.

Against that successful record, we have determined to continue funding Futures at the same level as allocated last year for hard-to-employ young people, at more than \$135 million in fiscal 1986-87. We expect more than 50,000 young people to participate in Futures this year.

Moreover, this year we intend to increase the number of points of entry to Futures. Pre-employment preparation services will be offered in more than 25 locations this year, and 24 new Futures work placement centres will be opened. This expansion will bring service to 21 communities this year that have previously not had local access to this program.

We are keeping Futures as human as possible. When we were told that restrictions relating to the length of time a young person had to be unemployed to enter the program were causing hardships, we eased up. Now a young person is not penalized for having had a part-time or casual job. We also extended the age limit for disabled participants to 29 years of age.

Le problème du chômage chez les jeunes n'est nulle part ailleurs en Ontario aussi grave que dans le Nord. C'est pourquoi nous avons décidé d'étendre et de faire connaître davantage les services du programme l'Avenir dans les collectivités du Nord.

Premièrement, nous consacrerons plus de 21 pour cent du budget du programme, soit \$29

millions, aux jeunes de cette région qui sont difficiles à employer.

Deuxièmement, nous avons l'intention d'ouvrir 10 nouveaux bureaux de placement et 12 nouveaux services de formation préprofessionnelle dans le Nord de la province.

Third, we have made a special commitment of \$1 million to ensure that Futures is available to native youth in remote communities. This fall, the Ministry of Citizenship and Culture counselors who serve remote native communities by air will offer Futures to young people on 50 reserves in the north.

We are also making special efforts to increase student employment opportunities this summer in northern Ontario. Members will be aware that in a number of northern communities, my ministry is assisting private sector campaigns that encourage employers and householders to find additional summer job opportunities for youth. In North Bay, the city's youth trust and chamber of commerce will run their second annual job blitz next week. In Elliot Lake, the chamber of commerce will be leading a campaign based on North Bay's successful model. In Sudbury and Sault Ste. Marie, Bell Canada is the lead company sponsoring Youth Action/Jeunesse Action '86. These local campaigns involve private employers, community groups and governments. By identifying more than 1,200 additional jobs in these communities, they will help bridge the summer employment gap.

As an additional response to the difficult northern employment situation, I am announcing today that we are extending the deadline in northern Ontario for applications for private employers under the Ontario youth employment program to July 18 and adding more than \$1 million to the budget. We are also opening a special OYEP office in Thunder Bay, mounting a campaign to communicate with northern employers and setting up a special toll-free number. Our objective in this extension is to find 2,000 additional jobs on top of the 5,000 approved already for northern Ontario.

Mr. Jackson: I am pleased to respond to the Minister of Skills Development. I was delighted with his announcement in the House today. I noticed he had left the chamber for all but two minutes and thought he might miss this opportunity to receive a well-deserved compliment. I assume he is going to the telephone to call Hearst to advise a certain by-election in the province of his new-found conversion to the concerns of the youth of northern Ontario.

Thirty million dollars is a lot of money to decide all of a sudden, at this late juncture, to inject into northern Ontario on youth employment, especially in view of the fact that we have unemployment problems with the Urban Transportation Development Corp. in Thunder Bay, Great Lakes Forest Products in Thunder Bay, Kimberly-Clark in Terrace Bay and the list keeps growing.

It is probably quite a cynical approach to the concerns of northern Ontario, but perhaps the government can take a signal and encourage the former member for Cochrane North to resign once a year and in so doing draw more attention and support from this government for northern Ontario.

Mr. Wildman: I rise to respond briefly to the announcement by the Minister of Skills Development. This may appear as if I am looking a gift horse in the mouth, but I want to point out that the minister's triumphs he is talking about for this program relate mainly to southern Ontario, where the economy is picking up. The reason there has been little takeup and why he has to extend the program in the north is that the economy is in such terrible shape up there that employers are not as interested in training youth as they might be in southern Ontario.

We welcome the addition of the offices that the minister has announced, but I want to point out that the unemployment rate in the north is already at twice the provincial average, and in some of the northern reserves it is as high as 90 per cent.

I would like to know what the minister thinks he is going to be training the youth for. Unless this government does something to produce economic development and jobs in the north, it does not make a lot of sense to be training young people so they can continue to be unemployed after they finish their training.

ONTARIO LOTTERY CORP.

Hon. Mr. Eakins: Later today, I intend to introduce legislation to amend the Ontario Lottery Corporation Act. These amendments will prevent individuals from engaging in a business that involves the sale, distribution or advertisement of lottery tickets for lottery schemes conducted or managed by the Ontario Lottery Corp. unless specifically authorized by the Ontario Lottery Corp.

This legislation will make mail order ticket operations clearly illegal in Ontario. It will also prohibit the purchase of tickets in Ontario for the purpose of engaging in a business located outside this province that involves the sale, distribution

or advertisement of lottery tickets. Further, no ticket may be sold at more than the face amount shown on the ticket. Conviction under these amendments can result in a fine of up to \$50,000 or imprisonment for a term of not more than one year, or both.

My colleagues will recall that the mail order of lottery tickets is not a new issue. In the past few years, the corporation has received thousands of complaints from United States residents who sent money to unauthorized mail order agencies and either did not receive their tickets, did not receive prizes they felt they were entitled to or could not get information they required. These mail order agencies traditionally sold tickets at large mark-ups. This government will not ignore the problem.

If left unchecked, this type of activity could cause serious harm to the integrity and credibility of this province's lotteries, something I am sure members of this House agree must be avoided. As the minister responsible for the Ontario Lottery Corp., I will not allow it to happen. Ontario's lotteries are among the best in the world. This legislation will help the corporation to ensure tickets are sold only by those individuals authorized to do so.

Mr. Hayes: I would like to compliment the Minister of Tourism and Recreation on the action he is taking to stop the abuse in lottery ticket business. At the same time, I would be remiss in not mentioning the person who raised this issue in the fall of 1985 and several times since, our member for Welland-Thorold (Mr. Swart). I am very pleased the minister has seen the light and has followed the recommendation of the member for Welland-Thorold.

Mr. Swart: I would be unfair if I did not rise in my place and say to the Minister of Tourism and Recreation that although the legislation is a little later than I had hoped, I compliment him on introducing it and on what appears to be the quality of the legislation, particularly the section that does not permit anyone to sell lottery tickets above their face value.

I know this will probably not be dealt with for a few months, but I say to the minister to stand tough on this legislation; it appears to be good legislation. Perhaps he could persuade his colleague the Minister of Financial Institutions (Mr. Kwinter) to deal with some of the insurance proposals I have made in the same commonsense way that this minister has dealt with this.

VISITOR

Mr. Speaker: If members will allow me, I want to draw to their attention and welcome the

former member for Lake Nipigon and former Speaker, Jack Stokes, in the members' gallery.

Mr. Grossman: I want to join in welcoming the former member for Lake Nipigon and former Speaker. We wish him well in his attempts to prod the government into action on behalf of the people of northwestern Ontario.

2:46 p.m.

ORAL QUESTIONS

EXTRA BILLING

Mr. Grossman: My question is to the Premier. As we enter the fourth week of what is now the longest doctors' strike in the history of our country, we discover that the Uxbridge Cottage Hospital, a fine small community hospital, is no longer going to be able to perform obstetrics because the consulting obstetrical specialist has withdrawn his services from that hospital and is going to concentrate them at Scarborough Centenary Hospital, because of Bill 94.

Can the Premier tell us whether he considers this to be only an inconvenience for the pregnant women in that area or whether he is worried about the situation those women face?

Hon. Mr. Peterson: I am not familiar with the situation the honourable member raises in the House today about the obstetrical services in the Uxbridge hospital. I will take any advice he has in that matter under advisement to work with the ministry or the hospital, if it wants to maintain the services in that area. I have no idea whether it is the choice of one physician or what the circumstances are. We are happy to work with the hospital, if it requires the assistance of the ministry.

Mr. Grossman: The Premier's expression of his concern and indication of his willingness to try to sort this out does nothing for the women in that area who are worried about their opportunity to get access to services. Their problem is solely and singly caused by what the Premier did in his insistence on pushing through Bill 94. He caused this problem, and now the women and their families are asking what the government is going to do about it.

Is the Premier not now becoming concerned about reduced access to the system? We have seen a reduction in access to spinal surgery at the Hospital for Sick Children and a reduction in obstetrical services in the Uxbridge area, all because of Bill 94 and the Premier's attitude. Is he not getting concerned about access?

Hon. Mr. Peterson: As I said, I had not heard about the Uxbridge problem. Presumably, if the local mothers are concerned, and there may well be some who are, they have been in touch with the member but not with me. I do not know whether they have been in touch with the Minister of Health (Mr. Elston). I have to take the member's word for it that there is a lot of concern about the change in services in that area.

It has been a difficult situation in the past three weeks or so, but I believe the ministry has coped extremely well. As the member knows, it is still the medical profession, the doctors, who are making judgements about medical urgency and diagnosing situations. To the best of my knowledge, all emergency situations have been taken care of.

Mr. Grossman: It is ironic that with crisis and chaos through the system, the Premier is counting on and relying on the goodwill and professional instincts of the very people he has criticized, condemned and name-called for the past several months across this province.

The Premier is acknowledging that he does not know anything about the Uxbridge situation. I presume his minister has been telling him about the big problems in the system. It was the headline story in the Uxbridge Times Journal of Wednesday, July 2, and the subject of an editorial wherein the chairman of the board of the Uxbridge Cottage Hospital, a prominent Liberal in the area, John Bakelaar, is quoted expressing his concern about care.

Mr. Speaker: Question, please.

Mr. Grossman: Will the Premier tell us how, in the fourth week of the longest doctors' strike in Canadian history, which he has caused, he can fail to be aware of serious circumstances, which I consider these to be, why he is not up to date on them and why he is not able to report to this House with regard to an action plan developed by his minister?

Hon. Mr. Peterson: I apologize to the honourable gentleman, but I do not read the Uxbridge Times Journal. I have never heard of John Bakelaar, the prominent Liberal who is chairman of the board there. He has not been in touch with me.

I do not agree with the member's analysis or choice of words that there is chaos and crisis in the system. He has been maintaining that every single day. The only person who believes that is the member, because no one else I know shares that view of the system. The member's analysis of the situation is a little like Chicken Little.

If the member has specific questions on these matters, on Uxbridge or on others, perhaps he would like to refer them to the minister; he might know something that I do not.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have a question for the Premier. I continue to be troubled by some of the information that is coming out of Cochrane North with respect to the affairs of the former minister. Yesterday, the Premier stood in the House and indicated the minister resigned his portfolio and his seat in this House as a matter of principle and as a matter of honour.

In yesterday's edition of the Kapuskasing Northern Times, the former member for Cochrane North stated to a reporter that he resigned, not because of any conflict-of-interest charges but because the cabinet had delayed consideration of a forest management agreement, as it would directly benefit his family. The former member's exact words to the Premier were, and I quote, "I had said that if Hearst did not get the FMA, I would resign."

In view of that information and in the light of the fact that we now have a situation that involves not only mining interests but also subsequent interests in an FMA, timber rights and a lumbering company in the north, is it the Premier's position with respect to this matter that irrespective of what happens, whether we have an inquiry, a committee review of the allegations and the questions surrounding this entire issue, he intends—

Mr. Speaker: Order.

Mr. Brandt: I am getting to my question, Mr. Speaker.

Mr. Speaker: I thought you had already asked two questions.

Mr. Brandt: My question is, does the Premier intend automatically to appoint the former minister back to cabinet?

Hon. Mr. Peterson: First, I am not familiar with the situation the member raises from the Northern Times. The Northern Times is owned and published as well as written, I gather, by the member's departed colleague in that area, René Piché. I know the paper has been a constant supporter of the government and an objective chronicler of all the events in the situation. This matter has been reported to the standing committee on the Legislative Assembly of this House. If the member would like to bring the matter before the committee, he should feel free to do so.

Mr. Brandt: Let me say to the Premier that the question of who printed the newspaper I am quoting from is of no relevance whatever, but his nonanswer is of relevance. The nonanswer we are getting is to a very specific and, I thought, very easy question. All I asked—

Interjections.

Mr. Speaker: Order. The member for Essex South (Mr. Mancini) and the member for Cochrane South (Mr. Pope) will please allow other members to ask questions.

Mr. Brandt: I thought the question was fairly straightforward. Did the former member for Cochrane North resign on a question of honour or on the question of whether the Minister of Natural Resources (Mr. Kerrio) had come to a conclusion in concert with his cabinet colleagues with respect to the FMA? It was one or the other.

We hear one story in the House, and we are hearing another as a result of certain published editions of the newspaper from the area. All I want to know with respect to the Premier's decision is whether the former member will be appointed automatically to cabinet irrespective of the findings when the inquiry is completed?

Hon. Mr. Peterson: With respect, there has been a discussion about an FMA in that area for some long period of time. As the member knows, cabinet deliberations are secret, but I can tell the honourable member it has not been dealt with by cabinet.

Second, he was asking me about a particular situation. If he has some information to present that I am not aware of, and if he is presenting things that would bear on this case, then he should do so. I told him—

Mr. Gillies: Is the Premier saying somebody can get away with murder like that and get back into his cabinet?

Mr. Speaker: Order.

Hon. Mr. Peterson: What I said to the member yesterday was that I believe, on the facts as presented and as I understand them—if there are more facts in this situation that he is aware of, they should be clearly brought out; there is no question about that—I view that as a technical violation at best. However, if the member has more information that bears on this subject, then that will bear on the conclusion.

Mr. Brandt: I want the Premier to know that I am not the one writing these quotes in the Northern Times. I am only sharing them with him because apparently he does not read any newspapers. I am trying to be helpful in this

regard. All I want to know is whether the information—

Mr. Speaker: Question.

Mr. Brandt: I remember discussing the early question about the former member for Cochrane North about a week ago in quite the same context when the Premier's response to me was that once he had determined whether the allegations were correct, he would take the necessary action. We are still waiting with great apprehension for that action, whatever it might be, because the Premier has done nothing with respect to the former member for Cochrane North. Those allegations have been proven correct based on the information I gave him.

Mr. Speaker: Is the question, "Do you agree"?

Mr. Brandt: My question to the Premier is, if the information with respect to the FMA is correct—and I have some more questions I would like to address to him on that—

Mr. Speaker: How about putting one question now?

Mr. Brandt: I will put one now. If that information is correct, will the former member be appointed automatically to cabinet?

Hon. Mr. Peterson: The member is surprised that I do not read his former colleague's newspaper, the Northern Times. I confess in all candour that I do not regularly read the Northern Times or the Uxbridge Times Journal, although I do appreciate it being brought to my attention when there is something newsworthy in those papers.

If my honourable friend has some information that bears on the subject of an FMA or on other subjects, it should be brought forward very clearly. I can assure him that and every other decision this government makes will be dealt with completely on their merits, having gone through the system as they are supposed to do in the circumstances. Any conversation like that has never been reported to me and never at any time has there been any suggestion of that in the resignation—

Mr. Harris: The Premier has had a year to get the information; what has he been doing about getting the information?

Mr. Gillies: Answer the question.

Mr. Speaker: Order.

Hon. Mr. Bradley: They are being disruptive.

Interjections.

Mr. Speaker: Order. Will the Premier take his seat.

Hon. Mr. Eakins: What did Moe Carter say today?

Interjections.

Mr. Speaker: Order. Once again I will just wait.

3 p.m.

Mr. Rae: I have a question for the Premier. I would like to ask if he can explain his remarks yesterday outside this House when he said that, regardless of the findings of the committee that has been established to look into the matter of Mr. Fontaine's conflict of interest, he will reinstate Mr. Fontaine into the cabinet on August 14. Can the Premier explain that extraordinary contempt for the legislative process? If he is going to ignore the committee completely, why did the government House leader stand yesterday and refer the matter to the committee?

Hon. Mr. Peterson: It is our view that all the facts should be brought out and that the member should have an opportunity to cross-examine and make any points he wants.

The facts as I know them have been revealed in this House. If there are more facts, obviously they should come out. It is not an impossible situation when the member's opinion on interpreting a set of facts differs from mine. We have honest differences of opinion on a great number of issues, not just this one. Ultimately, governments have to make judgements on the basis of the information they have at hand. Surely that is not a hard situation to comprehend.

Mr. Rae: What I find hard to comprehend is somebody who came into the House yesterday and accused other members of placing themselves above the political process. That was the Premier's song-and-dance act yesterday in the House. Then, just after he did that, he went out of the Legislature and said that regardless of the findings of the legislative committee that has been established to question Mr. Fontaine, to let him put his case and to ask him some new questions, the Premier will put Mr. Fontaine back into the cabinet on August 14. If that does not put the Premier and his judgement above the legislative process and the political process, I do not know what does.

We are entitled to a clear indication from the Premier that if the committee finds there has been a substantive conflict of interest and a breach of the guidelines, Mr. Fontaine will not be put back in the cabinet on August 14.

Hon. Mr. Peterson: Let us go back for a minute. I said that on the basis of the facts as I knew them, at best one could construe that there had been a technical violation of the conflict-of-interest guidelines with no suggestion of any benefit. If the member has some other information that there was, if he wants to come to another conclusion, that is quite legitimate.

That is the way this committee will work. The member is entitled to go to that committee, bring information, cross-examine and draw his own conclusions on that situation. I have told the member that, on the basis of the facts as I see them, that is the way it is.

Mr. Rae: Can the Premier explain, not only for this House but also for the public, what is a technical violation in failing to report ownership of 17,000 shares in a mining company, whatever their value may be, when one is the Minister of Northern Development and Mines? What is technical about failing to disclose a \$63,000-credit interest in two corporations? What is technical about the nature of those two omissions? What is technical about a statement placed before this Legislature—there are many other such statements, of which the Premier's is one and every member of the cabinet has one—that, on its own admission, is inaccurate, incomplete and therefore misleading? What is technical about those violations?

Hon. Mr. Peterson: Let me go back to this situation. As the member knows, it was not a question in strict legal terms of outright ownership. These shares were escrowed. It is a sufficiently grey area. He has absolutely no control over them. They are in the hands of a trust company. He could not have transferred them to a blind trust, because he had no legal power over them whatsoever.

Therefore, it is not quite as clear as my honourable friend may want to point out in the circumstances. I gather Mr. Fontaine had advice that it was not the same kind of situation.

Interjections.

Mr. Speaker: Order. I will just wait patiently. I am sure there are other members who want to ask questions.

Mr. Rae: I will go back to the Premier. I will preface the question by pointing out to the Premier that the statement made by the minister was not that there was some technical legal reasoning behind his forgetfulness with respect to the escrow shares; it was that he forgot. He forgot that he owned them. That is how I read the

statement. He said, "I forgot to list the escrow shares."

I would like to ask the Premier a question following from that and following from his statement yesterday with respect to the appointment of Mr. Aird. Is the Premier aware that there are now only two provincial jurisdictions in Canada which have no legislation dealing with conflict of interest? One is Prince Edward Island and the other is Ontario.

Is the Premier also aware that if we were in Manitoba, for example, one of the penalties available upon application to a court by either a voter or the standing committee on privileges and elections of the Legislature would be disqualification from office? It also states that an application can be brought, notwithstanding that the member is no longer a member or that the minister is no longer a minister.

How can the Premier compare that situation with the situation that appears to exist in Ontario, which is that whether or not there has been a violation of the act, a by-election somehow will resolve the conflict whereas in other jurisdictions a member is disqualified from even participating in an election?

Hon. Mr. Peterson: I am not familiar with all the legislation the member mentioned. I am not aware of it. It is certainly my view that the situation we have in the province at present is inadequate. One can look at those guidelines; they are just guidelines. The inherent problems are (1) that it is very difficult to know what they mean legally; (2) there is no ongoing monitoring, and (3) there is no ongoing enforcement of the situation. That is why it is my belief we need to change the situation, and perhaps the member's solution or the Manitoba solution is the correct one.

In these circumstances, the former minister felt the honourable thing for him to do would be to resign his seat. Is the member saying that because the former minister forgot to list these shares, he should leave for ever or not come back? What punishment is the member suggesting? That he get out of the political process for ever? He decided to put himself in the hands of the electorate of this province, which will ultimately make a decision.

Mr. Rae: I am happy to have the Premier asking me all the questions and I am sure one day I will be able to give some of the answers. Is the Premier aware that in at least two provinces in this country the ploy which he engineered out of his office with respect to the calling of the by-election would be completely and utterly

illegal? Is he aware of that fact? Is he aware that two jurisdictions have decided that kind of manipulation of the electoral process is completely out of bounds? Does he not feel this at least calls into question the good faith of the kind of ploy with respect to what has taken place in a conflict of interest he has orchestrated and attempted to put across on the people of Cochrane North and the people of Ontario?

Hon. Mr. Peterson: I am not familiar with the legislation in the other provinces, although I think it behooves us all to become familiar with it. I reject the member's contention that it was some ploy hatched in my office; that was clearly not the case. I have a much higher respect for the people of this province than the member does. Ultimately, everything we do is subject to the scrutiny of the people of this province. I am prepared to put myself in their hands at the appropriate time and be judged on the decisions of the electorate.

3:10 p.m.

Mr. Rae: Let us go back to this point. Is the Premier aware that there are at least two jurisdictions next door to us in this country, Manitoba and Saskatchewan, where this determination is made in the courts? A determination is made after an application is made either by voters or by a standing committee of the Legislature with respect to a violation. All the questions the Premier is unable to answer are answered by a court, and if the court finds there has been a violation, the individual found to be in violation is disqualified from running in the next election.

Given that this is the morality which appears to exist in respect to public life in other jurisdictions, what is the common sense of the Premier avoiding taking his decision when, under the guidelines established in Ontario, he is the only person who can enforce them? He said the standing committee cannot enforce them, he said the Legislature cannot enforce them and he is not prepared to enforce them. Who is supposed to enforce the guidelines that are in place?

Hon. Mr. Peterson: The member points out the inherent problem we have in our conflict-of-interest guidelines. I agree with him that we have to bring them up to date and change them. He has some interesting ideas.

Interjections.

Hon. Mr. Peterson: It is not easy to make myself heard over all the noise that is going on at present.

We have a different tradition in this province, obviously. I am not suggesting for a moment that it is a better tradition. We should all examine the options that are ahead of us.

Mr. Fontaine did what he felt was the most honourable thing in the circumstances. He resigned and the whole matter has been referred to a legislative committee for thorough, open airing.

Mr. Brandt: My question is to the Premier. In response to questions raised in this House, the Premier has made quite an issue over the difference between whether or not the former member for Cochrane North received a benefit as a result of his holdings in Golden Tiger. That really has no relevance to the case that has been put before this House, where we have indicated simply that the lack of disclosure on the part of the former minister was in violation of the guidelines.

However, with respect to the issue of benefit, and since the Premier insists upon putting this issue before the people of Ontario, will he admit to them that, as a result of the fact that the former minister owned shares in Golden Tiger, there is every reason to believe that one of three things could happen to those shares: they could go up in value, they could go down in value or they could remain at the same value? Will the Premier admit that there could be some fluctuation in the price of those shares as a result of certain—

Mr. Speaker: Order.

Hon. Mr. Peterson: My honourable friend has an extremely profound understanding of the stock market. It can go up, it can go down or it can stay the same. He is right.

Mr. Brandt: Will the Premier agree, since he makes the point that the former minister did not receive a direct benefit and that it was simply a technical violation with respect to disclosure, that the minister did own those shares and, as a result of owning them, could at some future point have benefited as a result of an increase in the value of those shares? Is that true, yes or no? It is a simple question.

Hon. Mr. Peterson: It is a theoretical possibility. The member knows that those shares were in escrow. We have absolutely no control over them. They are in the hands of a trust company. As a theoretical possibility some time in the future, as the member so wisely says, they could go up or down or stay the same.

Mr. Brandt: On a point of order, Mr. Speaker: If the Premier feels Mr. Fontaine had no control over those shares, why was the former

minister constantly speaking to his partner, Paul Martin?

Mr. Speaker: Order.

RENT REVIEW

Mr. Reville: I have a question for the Minister of Housing. I want to pursue my insatiable curiosity about the true meaning of Bill 51, the rent review bill. Under relentless questioning yesterday, the minister, in some kind of paroxysm, actually suggested that the rent guidelines in 1987 will be in the region of 5.1 per cent. Those were his words.

Will he now acknowledge, seeing we are doing so well on these answers, and we want to keep the ball rolling, that under Bill 51 the 5.1 per cent can have added to it variously two per cent, five per cent or as much as 10.2 per cent, depending on which kind of building a tenant is unlucky enough to live in?

Hon. Mr. Curling: The member knows the type of guideline we had in the past did not recognize certain buildings. These rates were going up by 10, 15 or 20 per cent, and there were no controls on these buildings. This guideline has recognized and brought into place all rental units post and pre-1975 and 1976. On the average, rents will reduce much less than what was happening in the past.

Mr. Reville: I think the minister has invented a new parlour game that will be played throughout Ontario. It will be called "I wonder what he meant."

Mr. Speaker: Do you have a question to ask about that?

Mr. Reville: Yes. I have a question about what the minister might have meant.

Does that mean, now that I can deduct the 0.1 per cent relating to yesterday's answer, that my rent may go up \$25.50, \$35.50, \$50.50 or \$76.50 on my now legendary \$500-a-month unit?

Hon. Mr. Curling: I think they know the answer, Mr. Speaker. The member has this hypothetical number that I must deal with.

I remind the honourable member that Bill 51, which will be introduced and I hope passed—and I intend to have it passed before we leave this sitting—has added protection for all rental units in the province. It will reduce rent increases. When the member stands here and says he feels his rent is going to go up, I want him to tell members out there and all tenants that over the couple of years that are coming along, rent will be reduced. I hope I will get the full co-operation of all

members to get Bill 11 and Bill 51 through before we go and that they will stop stalling this bill.

RESPITE CARE

Ms. Hart: I have a question for the Minister without Portfolio responsible for senior citizens' affairs. As I am sure the minister is aware—

Interjections.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Perhaps the member will take her seat, and we will wait until there is a little more quiet and a little more respect for the other members.

3:20 p.m.

Ms. Hart: As I am sure the member is aware, the traditional family structure has changed dramatically over the last decade. Among other things, this has meant a change in the ability of families to provide support services for elderly members. Family support is complicated by the fact that many women today have entered the labour force, often out of necessity, and are no longer able to provide consistent care. Moreover, many sons and daughters of elderly people live great distances away.

In view of this reality, what does the minister plan to do to assist families who are caring for elderly members? Has the minister considered the possibility of respite care?

Hon. Mr. Van Horne: I am sure all members will agree that very thoughtful question was what I was waiting for. I am sure they will also agree that it reflects the member's ongoing concern for the very large number of seniors who reside within her community.

We have given thought to that and we are in the process of working out details of various programs, the generalities of which were announced in our statement last month. I remind the member, and all members for that matter, that we are not working in isolation but in full co-operation with the Ministry of Community and Social Services and the Ministry of Health.

Ms. Hart: I receive calls in my constituency office virtually daily from people asking about respite care. Can the minister advise us how long it will take to implement respite care programs in this province?

Hon. Mr. Van Horne: I am sure all members are aware that when a white paper comes out, it takes time to work out the detail of implementation. I remind all members that the white paper is not a discussion paper but a paper of statement of government policy. Our intent is there and our will is there. The detail of the program will be

worked out as quickly as possible. I hope before the end of this calendar year the exact detail the member is looking for will be available for her.

ATTENDANCE AT MEETING

Mr. Pope: I have a question of the Attorney General. Can he confirm that he was present at a meeting within the last two weeks with the member for Oriole (Ms. Caplan), her spouse, her lawyer, a lawyer for the Liberal caucus, Mary Eberts and her lawyer?

Hon. Mr. Scott: I was present at such a meeting in the building.

Mr. Pope: Does the Attorney General, the highest law officer of the crown in this province, think it appropriate that he be present at a partisan meeting where decisions are being made as to what information will be given to the standing committee on public accounts?

Hon. Mr. Scott: That was not the purpose of the meeting, and I do not regard attendance at that meeting as inappropriate.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Laughren: I have a question of the Minister of Industry, Trade and Technology. The minister may be aware that a company called Waferboard Corp., near Timmins, had a serious accident about a year ago last August. Since that time, three orders have been issued by the Ministry of Labour.

Interjections.

Mr. Speaker: Order. Perhaps the member for Nickel Belt would take his seat. It is very difficult to hear the questions and responses. The member may try again.

Mr. Laughren: I was trying to communicate with the Minister of Industry, Trade and Technology about a company called Waferboard Corp., near Timmins, where a serious accident occurred in August 1985. Since that time, three orders have been issued by the Ministry of Labour but no charges have been laid despite the pretty clear evidence of negligence. Does the minister have any idea why it took seven months to complete that investigation and why no charges have been laid?

Hon. Mr. O'Neil: I am not aware of that case. The Minister of Labour (Mr. Wrye) is not present today, but I will be very pleased to discuss it with him as soon as he arrives.

Mr. Laughren: While the minister is finding out why no charges have been laid and why it took so long, can he also find out why, in view of

the fact that isocyanates are used in that waferboard plant and investigations have indicated they are exceeding the level of isocyanates in the air, no control orders have yet been issued to control the level of isocyanates in the air? Finally, why was the company given advance notice of the visit by Ministry of Labour officials to do the test?

Hon. Mr. O'Neil: Again, I would be very pleased to discuss that with the Ministry of Labour and ask him to get back to the honourable member with answers to both those questions.

ALLEGED CONFLICT OF INTEREST

Mr. Harris: I have a question of the Premier. The former member for Cochrane North has indicated that his decision to resign did not stem from the conflict-of-interest charges. He further stated that at last Wednesday's cabinet meeting the Premier pulled consideration of the Hearst forest management agreement because of accusations Mr. Fontaine and his family would benefit from the deal. Could the Premier confirm that?

Hon. Mr. Peterson: I cannot confirm whether he said it. The member has read it presumably in the Northern Times, so I cannot confirm whether that is accurate. What I can confirm—and the member knows I am not in a position to speak about what transpired at cabinet—

Interjection.

Hon. Mr. Peterson: He is entitled to say his views on the matter. Mr. Fontaine was not there, but he is entitled to speculate.

To the best of my knowledge, the resignation had absolutely nothing to do with anything except the issues that were raised in this House.

Mr. Harris: This is a direct quote from the former member for Cochrane North. The Premier could comment on two things. One, has the member broken cabinet confidentiality in releasing this information to the press in Cochrane North? Two, can the Premier confirm what Mr. Fontaine indicated? He said, "I had said that if Hearst did not get the FMA, I would resign."

Hon. Mr. Peterson: Mr. Fontaine was not there. How could he have said it? I have never ever heard him say that there or anywhere else.

SINGLE-INDUSTRY COMMUNITIES

Mr. Wildman: I have a question of the Minister of Colleges and Universities. Is the minister aware that out of 24 grants totalling \$500,000 which were awarded under the geoscience research grant program, only three totalling

about \$45,000 went to engineers and scholars in the north?

Mr. Speaker: I am sorry to interrupt the member for Algoma, but I did not hear a thing.

Mr. Wildman: There is something wrong with the machine, Mr. Speaker. We have to keep starting over again.

I was speaking to the grants made to scientists under the geoscience research grant program, and I was pointing out that only three of 24 went to scientists in northern Ontario for a total of about \$45,000, while 21 went to scientists in southern Ontario for a total of 10 times that amount. Is the minister aware of that and can he explain why geoscience work which is being done in the north is being funded to scientists who are not from the north?

Hon. Mr. Sorbara: First, I was not aware of the statistics my friend—is it the member for Cochrane South?—the member for Algoma mentioned. I do not approve those grants. They are done by peer review and they are done on the basis of submissions that are made. The decisions are made by scientists in the community. The member says 21 went to scientists in southern Ontario and three went to scientists in northern Ontario. I take him at his word. Is he saying to me that scientists in northern Ontario somehow have been disregarded or their abilities have been overlooked? I am not sure what point he is making with his question.

3:30 p.m.

Mr. Wildman: I do not pontificate the way the member for Cochrane South (Mr. Pope) does.

My point is simply that there are not the facilities for scientists to locate and work in the north. Now that the Minister of Colleges and Universities recognizes these statistics, which come from government figures themselves, is he prepared to agree to have the government implement the recommendation of the Advisory Committee on Resource Dependent Communities in Northern Ontario, in the so-called Rosehart report, for the establishment of an Ontario mining development foundation in northern Ontario? This would encourage exploration, processing and new mining technologies in northern Ontario so this work could go to the north and be done in the north.

Hon. Mr. Sorbara: My friend was on the Rosehart committee. He is aware of the recommendations, and he is aware that this government has taken the recommendations contained in that report very seriously. I am not going to tell him

today that we are going to implement its recommendations tomorrow or the next day, but I will tell him that we take them very seriously.

Perhaps for the first time in Ontario's history, ways of making our institutions in the north fully participating members of the university community of this province are being looked at. These things are not going to change as of September 1, but we are and will be taking steps to bolster our capacity to do research at Laurentian University, at Thunder Bay and in our other institutions.

NORTHERN DEVELOPMENT

Mr. Pierce: My question is to the Premier. Now that the Premier has taken over the portfolio of the Minister of Northern Development and Mines and has stated to the press that he will be using the by-election in Cochrane North to announce programs to assist the people of northern Ontario, does he believe the time to announce programs for the north is now, today, or only at the time of a by-election in northern Ontario?

Hon. Mr. Peterson: Very much the contrary. The member will see what has been transpiring. There have been very thoughtful questions from some members—not all of them northern members, but some—about initiatives this government is going to be undertaking. It is no secret to the member. Did the member not participate in the Rosehart committee? He will be familiar with all that kind of thing. We announced some time ago that we were going to be making a number of announcements in northern Ontario on July 8. The member knew that long before the resignation of Mr. Fontaine. That was no secret. If he is asking me not to do anything in northern Ontario for six weeks, he should please stand up and say that and then he can go home and explain it.

Mr. Pierce: It is not my intention to have the Premier withhold any announcements he has for northern Ontario. I had only hoped those announcements could be made without the by-election. If those programs are available now, will the Premier announce them in the House today?

Hon. Mr. Peterson: Just to be clear, the member is happy about what we are doing. He was familiar with the fact that we were going to make some announcements. He will be aware of what is happening in Sault Ste. Marie on Tuesday next and how we have been working with that community. We hope to bring some approaches—we do not have all the solutions, but we have some approaches—to some of those problems. I hope the member will be there on Tuesday and

will support the meeting. It is no secret this is going on.

WASTE DISPOSAL

Mrs. Grier: I have a question for the Minister of the Environment concerning the very troubling problem of the disposal of pathological or biomedical waste. The minister will be aware that a change in the regulations last September classified biomedical waste as hazardous, and I am sure he will agree the \$15 million that has been inserted in the budget could not begin to address the problem of upgrading existing disposal facilities. Can the minister tell the House why he has not proposed a comprehensive strategy to help the hospitals of this province deal with the problem of pathological waste?

Hon. Mr. Bradley: The member, who is familiar with this subject, will likely be aware that the Ministry of the Environment, in conjunction with the Ministry of Health and others in government who have opinions to offer in this regard, has been involved in a task force on this very subject. It has been gaining opinions from those who are in the various fields dealing with pathological waste. As a result of the task force, proposals are being formulated that I hope to announce in the relatively near future. They will deal with a problem that she recognizes has existed for a number of years in the province and is only one of a number of difficult challenges facing us in the field of the environment.

The Treasurer (Mr. Nixon) saw fit to include in his budget a sum of some \$15 million to assist the Ministry of the Environment and the Ministry of Health in dealing with this problem. We are currently in consultation with representatives of the Ontario Hospital Association and others who have a specific interest, with a view to finding the longer-term solutions the member seeks as well as those that will serve us in the short term.

Mrs. Grier: The minister is probably aware that just last week a judge dealing with charges laid against four Metropolitan Toronto hospitals for illegal disposal of biomedical waste said the proceeding "is at the head of my list of time-wasters and the Environmental Protection Act is too loosely worded and ambiguous."

Does the minister not agree that he is placing hospitals in an untenable position by not becoming an advocate of sound environmental disposal procedures and by not reviewing the procedures under the Environmental Protection Act when he classifies the waste as hazardous and lays charges and yet has provided no comprehensive direction

to the hospitals as to what they are supposed to do?

Hon. Mr. Bradley: I do not think what the member has described is entirely accurate.

Mr. McClellan: She is always accurate, and the minister knows it.

Hon. Mr. Bradley: I cannot agree with the member who interjected.

Mr. Speaker: Please disregard the interjection.

Hon. Mr. Bradley: I recognize that on many occasions that is the case, and I compliment the member on that. I do not entirely agree with her assessment of the situation, however.

I am not in a position to comment on an individual judge's opinion. I can say personally that I consider all aspects of the Environmental Protection Act to be extremely important. I know the member would not want to give the idea that she would support having one rule for the private sector and one rule for the public sector, because on many occasions she has been heard to say the ministry should enforce all laws that are in effect. That is what we are doing.

In addition, as I indicated in my initial answer, we are reviewing biomedical wastes. The initiative has been taken by the Treasurer to provide financial assistance that will be helpful, and we are reviewing regulations on an ongoing basis in the context of the task force to ensure that we come forward with yet another environmental initiative that will improve the environmental climate in this province.

ALZHEIMER'S DISEASE

Mr. Offer: I have a question for the Minister without Portfolio responsible for senior citizens' affairs. In his white paper he makes reference to the emphasis on basic and clinical research. With respect to seniors, which research areas will the minister be emphasizing? Specifically, what emphasis will be placed on research on Alzheimer's disease?

Hon. Mr. Van Horne: The member for Mississauga North (Mr. Offer) has reflected his concern and interest for seniors with a thoughtful question. It is this government's view that through research a better understanding will come to deliverers of service to seniors and through that I hope we will encourage early intervention that will keep people out of institutions.

To that end, during the course of this summer, I and my special adviser, Mr. Heagle, will be consulting with experts on gerontology to con-

firm what we feel are key areas that require research to establish our priorities. We will be meeting this summer with members from the Gerontology Research Council of Ontario, with some of the staff at McMaster University and with the Canadian Geriatrics Research Society.

Beyond that, the member asked about specific areas and included Alzheimer's disease in his question. To date—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Van Horne: It is interesting that the party opposite—

Mr. Speaker: Order. The minister is now straying.

3:40 p.m.

Mr. Offer: In view of the significant role the federal government plays in funding research, will the minister be encouraging his federal counterparts to act swiftly in these areas?

Hon. Mr. Van Horne: The answer is that research, in our view, should be complementary. Therefore, we hope the efforts made by Ontario will be in concert with whatever the federal government is doing.

In my original answer, before I was so rudely interrupted by the members opposite, I was about to make reference to Alzheimer's, which is a prime concern to this government.

Through the Ministry of Health and the Ministry of Community and Social Services, we have two projects that have just been completed or are nearing completion, one at Queen's University and another at Sunnybrook Medical Centre. As we assess the results of those two pieces of research, we will be discussing the results with the federal government and encouraging it to take a leadership role. If it does not see its way clear to do so, we hope to provide the leadership for the much-needed research on the ageing process, not only for Ontarians but also for all Canadians.

POLICE INVESTIGATION

Mr. Shymko: My question is to the Attorney General. In a letter dated February 24, 1985, it was stated his party shares the concern that "the allegations of corruption within the sheriff's office be fully probed and that appropriate charges be laid." Why has the minister, to this day, not laid charges in connection with the 2,000-page investigation by the Ontario Provincial Police into corruption within the York county sheriff's department?

Hon. Mr. Scott: Certain discharges took place in the sheriff's office, and grievances are proceeding with respect to those. If the honourable member will be good enough to send me a letter, I will try to inquire whether anything else either requires to be done or is being done.

Mr. Shymko: Can the minister explain why Delbert Adams, the man who had the courage and decency to expose this scam so as to preserve the integrity of the sheriff's office, is out on the street while Robert Campbell, the former purchasing chief, who was fired as a result of the investigation, has been rehired by the minister? Is there a coverup in his ministry? If not, why was Campbell rehired?

Hon. Mr. Scott: These acts all took place under the previous government. I will look into the question of the rehiring and, if it occurred, attempt to explain to the member why it occurred.

NUCLEAR SAFETY

Mr. Charlton: I have a question for the Minister of Energy. He may be aware that the Canadian Nuclear Association announced some weeks ago it would be spending \$300,000 on a public relations campaign to try to allay public fears about nuclear power in Ontario and across Canada. I think he is also aware that Ontario Hydro contributes to that organization.

In view of the fact that the three oldest operating nuclear units Ontario Hydro has—Pickering units 1 and 2 and Bruce unit A—are all down because of tube failure, does the minister not think it might be more appropriate for Ontario Hydro and this government to be involved in ensuring that we have a full-scale study of nuclear safety in Ontario, to be conducted by independent experts, as was recommended by the Porter commission and by the select committee on Ontario Hydro affairs, of which he was a member?

Hon. Mr. Kerrio: I do not know whether the honourable member is going to try to pre-empt the report that is coming down this afternoon, I hope, from the chairman of the select committee on energy, relating to this very important issue.

The thing that gives me some comfort about Candu reactors as they are generating within Ontario is the support that was given by Canadian Union of Public Employees Local 1000 and the workers within the nuclear plants of the province. I am encouraged by the position they have taken and will take into account what the member has to say about looking into the safety of our reactors.

Mr. Charlton: The minister referred to the report that will be coming down this afternoon. Will the minister make a commitment to this House to follow the recommendations of the committee with respect to a nuclear safety study?

Hon. Mr. Kerrio: It is high on the list of this government's priorities to make certain of the safety of our reactors, as is the kind of effort we are going to put forward in efficiency, in conservation and in alternative forms of generation. Those are the things we are going to take an active role in with Ontario Hydro. I suppose many of them will be addressed in the report.

I will give the member the undertaking that this government is going to take into very serious account what the report says. As soon as we have time to peruse it, we will make statements and comments to the House. I recognize that the member has a major concern as to the safety of Candu reactors. I should share with the House the fact that a former committee actually studied the report, and I am very willing to go forward in a serious way on how we should look into the safety of Candu reactors.

PETITIONS

SALE OF BEER AND WINE

Mr. Barlow: I have four petitions, all headed the same way. There is a rather lengthy preamble, but I will read it anyway. The subject is beer and wine in Ontario grocery stores, and it reads as follows:

"To the Honourable the Lieutenant Governor of Ontario and the Legislative Assembly:

"We understand that the government of Ontario plans to introduce legislation to permit sale of some beers and wine in Ontario grocery stores. We have also read reports that this may be confined to so-called independent stores.

"We, the undersigned, wish to express our objection to you, as our elected representative, to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store.

"This practice would discriminate against our customers who choose to shop here of their free choice for reasons we believe we have contributed to. This practice would discriminate against us by encouraging our customers to shop elsewhere. We believe we work hard and conscientiously for our customers and intend to do so for beer and wine as well as for any other products we sell, including many strictly regulated products. We object to any government action which jeopard-

dizes our jobs and earnings by manipulating free consumer choice.

"We believe we have earned the right to be respected for the way we do our work. We demand that, if legislation is passed permitting beer and wine to be sold in grocery stores, our grocery store be given the same permission."

These are signed by 84 employees of three Zehrs Markets in Cambridge and one Miracle Food Mart in Cambridge.

Mr. Speaker: I remind the honourable members—it came to my mind just this moment—that when presenting petitions, it is not necessary to read the whole petition. If you read the standing orders, you can forgo the "whereases" and just come to the "therefores."

Mr. Philip: I have a petition that is just as long and contains the same information as that read by the member for Cambridge (Mr. Barlow); so I will not read it at all. I will, however, say I am in agreement with it. It is submitted by the employees of Miracle Food Mart at 1701 Martin Grove Road and Miracle Food Mart at 2592 Finch Avenue West in Weston.

BIG GAME ANIMALS

Mr. Pouliot: I have a petition signed by 12 tourist outfitters in the riding of Lake Nipigon. They are asking the Ontario government to add the black bear to the list of big game animals, thereby protecting and prolonging the life of this species.

NATUROPATHY

Mr. Offer: I have two petitions, each signed by 50 persons and each dealing with the same subject matter. They indicate naturopathy has had self-governing status in Ontario for more than 42 years and ask the government to introduce legislation that will guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment.

3:50 p.m.

REPORT BY COMMITTEE

SELECT COMMITTEE ON ENERGY

Mr. Andrewes from the select committee on energy presented the committee's final report and moved the adoption of its recommendations.

Mr. Andrewes: This report probably deserves the anticlimax-of-the-week award. It has been the subject of a lot of speculation and comment. Therefore, I think it is incumbent upon me as chairman of the committee to expand in some detail beyond what one normally would say when

tabling a report in the Legislature and to put some factual information on the record relevant to the report itself.

The select committee on energy was appointed on July 10, 1985, by the Legislative Assembly of Ontario to inquire into and report on the affairs of Ontario Hydro. In December 1985, the committee filed an interim report on the Darlington nuclear generating station. At that time, the committee recommended that no further significant contracts for units 3 and 4 should be let for materials not required for construction during the next six months, while the committee studied demand-and-supply options.

Today, the committee is pleased to submit its final report on demand and supply options, thus fulfilling its mandate. The report, entitled *Towards a Balanced Electricity System*, contains a total of 26 recommendations aimed at building a more balanced electrical system that can deliver power at the lowest economic and social cost to the people of Ontario.

Ontario has entered a new phase of electric-power planning characterized by higher uncertainty and increasing risk. Accordingly, we must strive to increase the flexibility and diversity of our electrical system to reduce uncertainty and manage risk. We have found this can be done through increased energy productivity, with all its attendant societal benefits, by adding a number of smaller, more flexible supply options.

Flexibility and diversity, the way of the future, are leading us away from the nuclear generation option. Its benefits are declining while the risks associated with it are increasing. However, we have a huge nuclear plant, Darlington, which is approximately two thirds complete. Unfortunately, we find ourselves with no responsible alternative to Darlington.

At this time, we are unable to respond to the imperatives for system flexibility and balance. Too little is known about the timing and cost of conservation to risk thousands of jobs and billions of dollars of investment. No other supply options can compete with the low incremental cost of completing Darlington. More than \$7.1 billion has already been irretrievably committed.

Therefore, the committee has found that proceeding with Darlington is the lowest-risk option for the province in the short term. The government should take advantage of the time resulting from the surplus provided by Darlington. The committee urges the government to take strong action to ensure that our choices are not circumscribed in the future as they are today.

In the report, we recommend that no further commitments to nuclear be made at this time. Ontario Hydro should build a strong capability in conservation. The Ministry of Energy should pursue alternative energy forms to diversify our generation mix. Our report provides explicit directions to guide these agencies of government in carrying out these tasks.

The committee has found a marked similarity between the findings of its review of demand-and-supply options and the recommendations of past reviews. To ensure that the committee's recommendations are implemented, we recommend changes to the decision-making process to significantly strengthen government's role in the determination of our electricity future.

Rigid guidelines are developed for Ontario Hydro's planning process so that all resource options are given fair evaluation. We recommend that the planning process be opened up to allow for meaningful public input on key issues at several stages of that process. We recommend a thorough review by a strengthened Ontario Energy Board of resource plans before new options are chosen. Finally, we advocate the expansion of the Ontario Energy Board's powers to include the setting of electricity rates.

Our report provides the Ontario government with a blueprint for building a balanced electric system and gaining effective control over Hydro's planning process.

I would be remiss if I did not thank a number of people who have had a major role in the formulation of this report: the clerk of the committee, Franco Carrozza, and Lynn Mellor, who assisted Mr. Carrozza when he was unable to be with us because of other responsibilities; Jerry Richmond and Beth Ward of the legislative research service and Dr. Larry Moore from the Ministry of Energy, who assisted us in the research and the preparation of documentation in the report; and finally, members of the committee, who gave their undying trust and initiative in the pursuit of making this an effective and thorough report.

On motion by Mr. Andrewes, the debate was adjourned.

INTRODUCTION OF BILLS

ENVIRONMENTAL ENFORCEMENT STATUTE LAW AMENDMENT ACT

Hon. Mr. Bradley moved first reading of Bill 112, An Act respecting the Enforcement of Statutes related to the Environment.

Motion agreed to.

Hon. Mr. Bradley: I have given a statement on the bill; so I will not elaborate on the bill itself. Because he was in the gallery for the statement and for other activities, I would like to take this opportunity to offer congratulations to, among other people, John Swaigen, who was with the Canadian Environmental Law Association from 1972 to 1982 before he joined our ministry. Mr. Swaigen was one of the founding fathers of environmental law in Canada and one of the first executive directors of CELA. Whenever a bill of this kind is brought forward, the efforts of many are involved, and I want to commend him, along with my other ministry staff, on this initiative.

HOMEMAKERS AND NURSES SERVICES AMENDMENT ACT

Hon. Mr. Sweeney moved first reading of Bill 113, An Act to amend the Homemakers and Nurses Services Act.

Motion agreed to.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Grandmaître moved first reading of Bill 114, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

Hon. Mr. Grandmaître: This bill will increase the size of Metropolitan Toronto council from 39 to 43 members, plus the Metro chairman. Two of the additional members will come from Scarborough, with an additional member each from Etobicoke and North York. This legislation has been requested by the metropolitan council, and I am pleased to be implementing that request today.

4 p.m.

ONTARIO LOTTERY CORPORATION AMENDMENT ACT

Hon. Mr. Eakins moved first reading of Bill 115, An Act to amend the Ontario Lottery Corporation Act, 1986.

Motion agreed to.

Hon. Mr. Eakins: I made some opening comments. I will not speak further except to express my appreciation to the member for Welland-Thorold (Mr. Swart) for the interest and leadership he has given in this bill.

LOAN AND TRUST CORPORATIONS ACT

Hon. Mr. Kwinter moved first reading of Bill 116, An Act to revise the Loan and Trust Corporations Act.

Motion agreed to.

Hon. Mr. Kwinter: I wish to withdraw Bill 87, the Loan and Trust Corporations Act, 1985, and introduce a new bill for first reading, the Loan and Trust Corporations Act, 1986.

There are several purposes for this action, one of which is to change all references relating to the Ministry of Consumer and Commercial Relations to the Ministry of Financial Institutions.

The new bill also contains a provision to permit trust companies to own a percentage interest in a securities dealer, consistent with the policies relating to the securities industry that I announced last month.

After second reading debate, I will be recommending that the Loan and Trust Corporations Act, 1986, be referred to the standing committee on administration of justice. Accordingly, changes of a technical nature have been made to the new bill so the time of the committee will not be taken up needlessly by these matters.

The intentions I have just outlined have already been discussed with members of the opposition, who have been provided with annotated copies of the new bill.

MINORS' PROTECTION AMENDMENT ACT

Mr. Swart moved first reading of Bill 117, An Act to amend the Minors' Protection Act.

Motion agreed to.

Mr. Swart: The purpose of this bill is to prohibit the sale of low-alcohol beverages to children. Currently, anyone can purchase drinks with less than one per cent alcohol.

It may be unusual for members of the two opposition parties to have their names on one bill, but the member for Peterborough (Mr. Turner) has been extremely interested in this matter, and I think it is appropriate.

This low-alcohol-content beer may serve a useful purpose for adults, but it has no place whatsoever as a children's drink.

CITY OF TORONTO ACT

Mr. Offer moved first reading of Bill Pr25, An Act respecting the City of Toronto.

Motion agreed to.

ORDERS OF THE DAY

ONTARIO ASSOCIATION OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

Mr. Reville moved second reading of Bill Pr1, An Act respecting The Ontario Association of

Speech-Language Pathologists and Audiologists.

Motion agreed to.

Third reading also agreed to on motion.

SCARBOROUGH PUBLIC UTILITIES COMMISSION ACT

Mr. McClellan, on behalf of Mr. Warner, moved second reading of Bill Pr5, An Act respecting The Public Utilities Commission of the City of Scarborough.

Motion agreed to.

Third reading also agreed to on motion.

ST. ELIZABETH HOME SOCIETY ACT

Mr. Dean moved second reading of Bill Pr9, An Act respecting the St. Elizabeth Home Society.

Motion agreed.

Third reading also agreed to on motion.

EMPIRE LIFE INSURANCE COMPANY ACT

Hon. Mr. Nixon, on behalf of Mr. South, moved second reading of Bill Pr10, An Act respecting the Empire Life Insurance Company.

Motion agreed to.

Third reading also agreed to on motion.

PAMAGLENN INVESTMENTS LIMITED ACT

Mr. Polsinelli moved second reading of Bill Pr13, An Act respecting Pamaglenn Investments Limited.

Motion agreed to.

Third reading also agreed to on motion.

4:10 p.m.

SHERRYDALE INVESTMENTS LIMITED ACT

Mr. Polsinelli moved second reading of Bill Pr14, An Act respecting Sherrydale Investments Limited.

Motion agreed to.

Third reading also agreed to on motion.

ALLIANCE FRANÇAISE DE TORONTO ACT

Hon. Mr. Nixon moved, on behalf of Mr. Callahan, second reading of Bill Pr16, An Act to revive Alliance Française de Toronto.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF CORNWALL ACT

Mr. Guindon moved second reading of Bill Pr17, An Act respecting the City of Cornwall.

Motion agreed to.

Third reading also agreed to on motion.

MYLAKE MINES LIMITED ACT

Mr. Harris moved second reading of Bill Pr19, An Act revive Mylake Mines Limited.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF CHATHAM ACT

Mr. Bossy moved second reading of Pr21, An Act respecting the City of Chatham.

Motion agreed to.

Third reading also agreed to on motion.

YOUNG MEN'S CHRISTIAN ASSOCIATION
OF CAMBRIDGE ACT

Mr. Barlow moved second reading of Bill Pr35, An Act respecting the Young Men's Christian Association of Cambridge.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF TORONTO ACT

Mr. Offer moved second reading of Bill Pr37, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

THIRD READINGS

The following bills were given third reading on motion:

Bill 43, An Act to amend the Shoreline Property Assistance Act;

Bill 79, An Act to amend the Municipal Act.

RENTAL HOUSING
PROTECTION ACT
(continued)

Resuming the adjourned debate on the motion for second reading of Bill 11, An Act respecting the Protection of Rental Housing.

Ms. Gigantes: I was speaking when we ran out of time last night. I will not speak a great deal longer, but I have a few more comments on this reading of the bill.

It is of utmost importance that all members of this Legislature take a look at the coverage of this bill and at the need to amend it and make it retroactive. The minister has said it is not his

wish to do that. I hope and expect he will change his mind.

We know that since this bill was tabled, landlords have made and had applications approved to convert affordable rental premises into unaffordable rental premises or private ownership units. I know of particular examples in Ottawa Centre, but they have been occurring all over the province. It is not good enough for us to allow two months to go by since telling the world of our intent to proceed on this matter in the form of Bill 11 and to sit by and watch the days drift on as landlords move ahead with the drain on affordable rental housing.

In recent announcements, the minister has provided Renterprise approvals for 119 units of affordable rental housing in Nepean. Those 119 units will require a \$950,000 contribution in provincial loans. At the same time, we will be losing about 90 units of affordable rental housing in downtown Ottawa. It does not make sense for us to allow this loss to go ahead after the bill has been tabled and then to have to turn around and make public contributions through loans, grants or whatever methods we use to try to make up for that loss. We have to stop the haemorrhage that has gone on in our stock of affordable rental housing.

The ministry also announced recently \$3 million for a program to allow for the upgrading of low-rise apartment buildings in the Ottawa area. That \$3 million may well be applied to precisely the kinds of rental buildings that do not fall under this bill as it now is presented to us; in other words, rental buildings that have six or fewer units.

I, for one, am not satisfied to see us on the one hand providing public moneys to a very worthwhile cause, which is the upgrading of affordable low-rise rental units, and on the other hand see those units open to change into another form of housing stock. We may put public moneys into their upgrading and then see them transferred into either private ownership units or high-priced rental units. These units will not be covered by the rent review legislation proposed in Bill 51.

The minister has to address this problem seriously. It is simply not good enough to say that if a building has seven units or more, rent review processes will cover the units, and the conversion controls we are proposing in Bill 11 will apply to those units. We have to cover all units. Obviously, one would make an exception for rental units that are within a person's home, but I do not think they would be subject to conversions of the type we are talking about in Bill 11. I see

no reason why these controls and the rent review provisions we will be looking at in Bill 51 should not apply to smaller rental buildings.

4:20 p.m.

I have a final note. The last day we had a lot of informal discussion among members as to how Bill 11 was going to be dealt with in this House. It is my understanding the Conservatives are proposing at this stage that it be sent to committee outside this House. Clearly, the effect of that will be to delay passage and implementation of the provisions of Bill 11. Weak as they are, we have to get them in place. If we can improve them in committee of the whole, so much the better; but if we take them outside this House and send them to committee, we will have given in to those who do not wish to see controls on demolition, conversions, etc., and who do not wish to see an end to the haemorrhage of our affordable rental housing stock. As a Legislature, we simply cannot afford to be so irresponsible at this stage, at this late date in the year; we must keep this bill in the House.

If the Conservative Party decides it is going to stand 20 members to insist on sending Bill 11 outside this House, then I will make it very clear to all the electors of Ottawa Centre it is the Conservative Party that has delayed dealing with these measures. I will say it as loud, as far and as clear as I can. I hope the Conservative members will think very carefully about trying to send this bill outside the House.

Mr. Shymko: I am most pleased to participate in this debate. As the members can see, I am wearing a button that reads, "Freedom of Destiny for High Park Tenants." I have received numerous buttons from the tenants of the former Cadillac Fairview apartments whose destiny was in the hands of others and currently is in the hands of government and in the hands of the minister and this bill.

The member for Riverdale (Mr. Reville) has replaced a very honourable and distinguished member of this Legislature who in his deliberations was one of the finest experts not only in procedures but also in making sure that the laws of this province were reflected in whatever legislation was before us, whatever concerns people had in a request for amendments and whatever agreements the public may have had on certain issues.

As I address this issue, I will make reference to some agreements that have been struck between tenants and landlords which, unfortunately, did not reflect or which contravened some of the statutes of this province. The member for Riverdale received a similar button from the

tenants of the former Cadillac Fairview apartments but for some reason has refused to wear that button. The colours are most appropriate for the honourable member. I am sure the objection was not the colour of the button but perhaps the implications of what the destiny of these tenants is all about.

Following my remarks, I hope I will sway not only the member for Riverdale but also all the honourable members to my left in supporting the concern I have in maximizing the protection to tenants.

During numerous deliberations, I have had and hope to continue to have an excellent relationship with the honourable minister. I understand his sincerity in trying to balance the needs of landlords and tenants. I understand his sincerity about affordable housing. I understand his sincerity in some of the agreements that landlords and tenants may have negotiated, particularly when the landlord in question is a receiver or, to put it more clearly, the Canada Deposit Insurance Corp., the federal agency that has inherited the whole fiasco of the Cadillac Fairview apartments and is backing up the receiver in this case with financing and by holding the mortgages of the 11,000 units.

My concern was to look at Bill 11 and to provide the tenants of this province with the type of guarantees they would not find anywhere in any provincial jurisdiction, namely, lifetime tenure. If there is a maximum protection we can give tenants today, it is lifetime tenure. We have heard the phrase "lifetime tenure" mentioned in numerous agreements, and we have read about it in our papers. We have heard this in relation to the Bretton Place conversion. Lifetime tenure cannot be referred to or negotiated in any agreement because, according to the Landlord and Tenant Act and the Residential Tenancies Act, there are some problems.

I have suggested to the minister some amendments that would give the landlord the right to choose to waive certain rights that are guaranteed. At present, the landlord has the right to occupy the premises he owns; he also has, in my opinion, the right to decide whether it would be in his interest to waive his rights. A landlord has the right to give an increase in the rent controls of four per cent and, as soon as we see other legislation presented, of five or six per cent.

What if a landlord does not want to take such a position? What if a landlord does not want to evict a tenant, even if he has the right to do so? What if a landlord wants to waive his rights guaranteed under the Landlord and Tenant Act?

Can a landlord say: "Despite the fact that I have the right to a five or six per cent increase, I do not want to increase the rent of my tenants by five or six or four per cent. I want to freeze the rent at two per cent for the next five years"?

In a court ruling on March 7, 1986, the Supreme Court of Ontario ruled that if a landlord deems it in his own interest to waive that right, he cannot do it. I suggested to the minister that in section 2 of this bill we provide an amendment to allow a landlord to waive his rights guaranteed under the Landlord and Tenant Act to evict a tenant and occupy the unit and to allow him to provide a lifetime guarantee. Why not make an amendment to allow a landlord to waive his right to have an automatic four per cent increase? If the landlord deems it in his interest, let us give him the choice of saying: "I will not increase the rent by four per cent. As a matter of fact, I am happy with three per cent."

In our deliberations—and I do not want to reveal private conversations—the minister has given me the impression that these amendments made some sense and that he would explore them. I thank him for being reasonable in his reactions to exploring those amendments. The minister had some concerns about agreements that talk about lifetime tenure and agreements that refer to no increases. He was ready at some point to accept such amendments from a member of Her Majesty's loyal opposition, which in turn might have led to support of Bill 11, which in turn might have led to what the member for Ottawa Centre (Ms. Gigantes) had indicated was her concern, that this may go to a standing committee instead of the committee of the whole House.

4:30 p.m.

Perhaps the process might have been different had the minister seen the wisdom of some of these recommendations.

I know there are problems with conversion. One may recall that prior to the introduction of Bill 11, it was the prerogative of municipalities to decide whether they would have bylaws regulating conversions. The independence and autonomy of municipalities was respected by this government, even to a statement by the Premier (Mr. Peterson) who said: "I would not dare to interfere with the process and with the rules and bylaws set by Metropolitan Toronto, the city of Toronto or other municipalities. I respect that freedom."

Yet we have an interventionist bill which moves in now. For two years, no matter what the municipality may decide, cabinet will make the

final decision. Talk about autocracy. Talk about interventionist policies.

We all understand that, for years, conversion has been used by landlords as a gimmick to evict tenants. We all know that. The honourable members to my left recall the situation of a desperate housing shortage.

Various percentages of vacancy rates have been suggested as being acceptable standards for when rent control should be eliminated, or when condominium conversion freezes should be eliminated. The percentage points vary. The policy in the city of Toronto is a 2.5 per cent vacancy rate, I believe, as a cap when a freeze on conversions would be lifted. Other municipalities have suggested more: four per cent, five per cent vacancy rates from the present 0.5 per cent.

The honourable minister knows full well that because conversion was used as a tactic by landlords to evict tenants, we had to introduce bylaws at the municipal level to stop that clever ploy and game. We did so successfully.

Suddenly, tenants who have been living through four or five years in insecurity and fear, not knowing what their destiny will be—and I refer to the 11,000 units in the former Cadillac Fairview apartments—have come to municipalities with the following request, "We as tenants would like to buy these units." It was not some foreign, unnumbered company, not buyers from every corner of the world including jurisdictions that are quite questionable in terms of their way of government.

They said: "Give us a chance to buy these units. Conversion is not in the interest of the landlord any more. Here is conversion in the interest of tenants."

Our municipal governments were not only shocked but also caught in a situation of not knowing what to do with this. Conversion was not being used here as a gimmick by a landlord to evict tenants. Conversion was a security and a protection for tenants, asked for by tenants, and negotiated by tenants with landlords who were ready to waive their rights guaranteed under two statutes: the Landlord and Tenant Act and the Residential Tenancies Act. The landlord in question was the receiver of these units: Clarkson Gordon.

The honourable minister has no idea of the frightening state of living in insecurity and fear for all these years when the lives and shelters of these honest people, many of them retired and on fixed incomes, were played with in the con game by the Players and the Rosenbergs of this world. I hope he understands the emotional and psycho-

logical anguish experienced by these people who do not know even today what will happen with their shelters and homes.

As someone mentioned today in a question in the Legislature, if those homes were sold today, not only would they get the automatic five or six per cent increase in their rents that will be guaranteed when Bill 51 is passed, but in addition there would be a two per cent, automatic increase because those units were never before the commission. In addition, there would be a six per cent pass-through for the cost of financing that is guaranteed by our laws. Those are automatic increases of 13 or 14 per cent on the units with no questions asked.

There is concern. There were negotiations prior to the change of government. I recall a meeting when the then Minister of Consumer and Commercial Relations, the member for Leeds (Mr. Runciman), came to my riding, met with the tenants and said: "Negotiate with the receiver. If you can guarantee the maximum security and protection for you as tenants, negotiate." When the government changed and a capable minister, the member for Wilson Heights (Mr. Kwinter), took over the responsibilities in this area of concern, I recall a meeting in November with the tenants of the former Cadillac Fairview apartments and with the members of the High Park Tenants' Association where he urged the tenants to negotiate with the receiver to try to get a bargain.

I have even heard rumours that one of the prominent members of that tenants' association, a prominent Liberal, met with the Minister of Housing (Mr. Curling) and was given the assurance and the urging, "There is nothing wrong; continue to negotiate with your landlord." Not only that, the Premier himself has said: "If you can negotiate an agreement with the receiver and you go before the council of the city of Toronto, if the municipal council agrees and passes your agreement and makes you an exception to the conversion restrictions, I will respect that. I will not interfere. Who do you think I am?"

Then suddenly, the tenants having been led astray about negotiating by two prominent ministers of this government, Bill 11 is introduced and it says: "There is no way. No matter what you negotiate with city council, no matter what exception may be given from the condominium conversion bylaws, we will decide and we will move in." How unfortunate. Speaking to a sensitive, responsible, reasonable minister representing a sensitive, responsible, reasonable

cabinet, I thought we could negotiate a simple amendment, which I will be introducing later on, to provide that protection of lifetime tenure.

Ontario would be the first jurisdiction in Canada to provide tenants with lifetime tenure. It would be something to be proud of, something that the members of Her Majesty's loyal opposition urge the government to do. We do not mind letting them take all the credit. Let the minister take the credit. Let the minister have a bill with an amendment that will provide flexibility and balance in giving an historic protection to tenants.

4:40 p.m.

Mr. Mackenzie: Like the member would never do.

Mr. Shymko: As I listen to the interjection of the member for Hamilton East, I know that he shares my concern. He is all for lifetime tenure. He has no objection to giving a landlord the right to waive his rights if a landlord deems it to be in his interest. That is a fundamental freedom. Having been given certain rights under the laws of this province, how can anyone prevent me from waiving my rights?

I am sure the honourable members to my left will gladly support such a motion. I hope they will. Imagine telling the tenants of this province that the New Democratic Party does not want to give them lifetime tenure if a landlord wants to offer it. Can members imagine the New Democratic Party opposing such an amendment?

I know the minister has some concerns. He said: "Yuri, I will study this. It impresses me, it makes sense; but I have a fundamental problem. Let us assume that 55 per cent of the tenants of these units opt for conversion because of the nature of protection and the remaining 45 per cent want to remain as tenants. What if the landlords of these newly acquired condominium units start to flip and resell their units the following day or the following week and speculators start moving in?"

The minister was right. He is much more perceptive than some members give him credit for. There is a problem with speculators. We have seen 11,000 units in their entirety being flipped over again and again. I said to the minister: "You are right. Why do you not introduce an amendment that will provide a period when these flips and resales will be frozen? I know it is very interventionist, but your entire bill is interventionist."

Mr. Ferraro: The member is a hypocrite.

Mr. Shymko: I do not know whether that is an unparliamentary remark, Mr. Speaker, that I am a hypocrite. I would like you to rule on that.

The Deputy Speaker: "Hypocrite" is not parliamentary. Did a member say that?

Mr. Shymko: I do not read lips, but when the entire section is empty and I see the member for Wellington South (Mr. Ferraro) obviously speaking, calling me a hypocrite, that is the member who I think uttered that shameful, unparliamentary word.

The Deputy Speaker: Did the member for Wellington South call the member for High Park-Swansea a hypocrite?

Mr. Ferraro: I wanted to say he was a nice hypocrite.

The Deputy Speaker: I think the member had better withdraw the word "hypocrite," please.

Mr. Ferraro: I will withdraw the remark.

Mr. Shymko: I go back to my reference to the charming, sensitive, intelligent minister responsible for housing who perceived the problem. The minister's suggestion was, "Why do you not introduce an amendment preventing these flips?" So I did that, co-operating in every way. I had a very strong impression for a period of approximately a week to a week and a half that our amendment would be acceptable.

I gave a copy of these amendments to the minister because we on this side of the House are gentlemen. We do not do things behind people's backs. We are open; we negotiate. The honourable member knows me very well. I do not do things behind people's backs. We are up front.

The Deputy Speaker: Meanwhile, back to the bill.

Mr. Shymko: Absolutely. I am talking about Bill 11. Did you have the impression I was talking about some other bill, Mr. Speaker?

The Deputy Speaker: The member was wandering very far from any bill.

Mr. Shymko: I will restrict my mental travels, not my emotional travels, and go back to the commitments.

With any amendments that honourable members prepare to such important bills as the one before us, we do not simply scratch our heads and think of amendments off the tops of our heads and write them down. We have the services of legislative counsel. These qualified lawyers with experience, and who know the statutes, look at our amendments and word them correctly and appropriately so that they make sense.

Suddenly, a few days ago, the minister sought counsel from other sources, his ministry legal people, who indicated that apparently such guarantees of lifetime tenure exist in the bill. Can

members imagine? I went through the entire bill. He said they are guaranteed by a regulation or something. Lifetime tenure is guaranteed in this bill? I would like to hear from the minister at any stage of the debate where he finds lifetime tenure guaranteed in the bill. I would like the minister's legal counsel to tell me there is the option of landlords waiving their rights. There is not any and he knows that very well.

The minister says, "If you read the preamble to the bill, it refers to something about regulations." I think the explanatory notes say the something about regulations. It states "unless the approval of the municipality has been obtained or the property is exempted by regulation." One may have exemptions by regulation. I do not see any regulations. I said, "Show me the regulations which exempt these units." I do not see these regulations. How can one vote for the passage of a bill and assume there will be regulations that may provide exemptions of certain units for conversion because of the destitute nature of the circumstances of fear and insecurity these people live in? The minister says we will put it in some regulation. If he is indeed sensitive, why does he hesitate to put it in the bill so that we see it up front, see that the minister is as up front on these changes and amendments as we are?

Our caucus discussed the bill and was prepared to back the minister's bill 100 per cent had he shown some sensitivity on the amendments we were to propose. Total support. I patiently await the moment when lifetime tenure is presented as an amendment. I watch my honourable colleagues to my left, for whom I have the utmost respect, to see whether they will support this amendment.

4:50 p.m.

I referred to "Freedom of Destiny for High Park tenants." I imagine the Liberal Party association of the great riding of High Park-Swansea, which for years has been trying to win the seat, has met with members of the cabinet, even with the honourable minister, and stated: "We support the tenants of these units formerly owned by Cadillac Fairview. We support negotiations. We support the promises and the initiatives and the guiding light that was provided by the Minister of Consumer and Commercial Relations. We support the concerns of some members of cabinet who see that they are indeed in a unique situation, that there is nothing wrong with an agreement, that there is nothing wrong with lifetime tenure guarantees if they can be placed in an amendment to an act or if an act can be amended."

Thus, we have the Liberal Party seeking to elect a Liberal member in a riding, going contrary to its own government, trying to point out the lack of wisdom, the ignorance of the reality and of the shameful state these tenants are in. I congratulate all the members of the executive and all the members of the Liberal Party association in High Park-Swansea for their sensitivity and for their concerns, which are shared by some cabinet members and may be shared by the honourable minister, who we know gets directives from other sources. There is the phone call from room 281 or whatever in that little corner office saying, "Alvin, hold it." We know; we understand and we sympathize.

The government is going to drag Bill 11 through four or five months so I will not have to explain to the members opposite the destitute situation of these tenants. They want the tenants to come down as witnesses before a standing committee, because they think I am bluffing. They think what I am saying does not reflect their feelings. If this is what they want, if they want these tenants who seek lifetime tenure and the tenants who want to buy these units to come before a standing committee, if they want Bill 11 to drag on for another four or five or six months, that is the decision they have made.

Mr. Mackenzie: On a point of order, Mr. Speaker: Could you check whether there is a safety and health hazard in this House with more than 90 decibels of noise?

The Acting Speaker (Mr. Morin): That is not a point of order. It is a point of hearing.

Mr. Shymko: I have this wonderful plug, which I will send to the honourable member. If he plugs his ears with this, apparently it will shut out the noise. I will gladly pass this on.

Mr. Ferraro: On a point of privilege, Mr. Speaker: I take offence at the fact that the member for Hamilton East is going to be able to tune this out. Other members in the House should have the same flexibility.

The Acting Speaker: That is not a point of privilege.

Mr. Shymko: It works, by the way.

Let me refer to this agreement. I will not travel from the content of the bill, but I do travel emotionally. It is part of my heritage. We tend to be emotional when we become sensitive. We tend to be emotional when we feel there is injustice. We tend to be emotional when we see that constituents are not listened to or that reason is not applied, and I am not ashamed of being emotional.

I recall many occasions when the member for Hamilton East (Mr. Mackenzie) rose on issues and concerns for which he is the critic, when workers were unjustly treated, and he was emotional. I do not know how many decibels he—

The Acting Speaker: Please come back to the subject. Pour revenir au sujet.

M. Shymko: Je retourne à mon sujet. Je voudrais continuer à essayer de démontrer le manque de logique de la part du ministre au sujet des locataires de mon comté qui ont été victimes d'un destin néfaste de la part de spéculateurs qui jouent avec la vie de nos citoyens.

Ce que je voudrais dire en ce moment, c'est qu'il y a quelques semaines, on écoutait les remarques de l'évêque Tutu de l'Afrique du Sud, qui nous démontrait l'injustice de ce régime. Est-ce que vous savez, Monsieur le Président, qu'une compagnie qui s'intéresse à acheter les bâtiments de la compagnie Cadillac Fairview est une compagnie de l'Afrique du Sud? De l'Afrique du Sud. Je ne peux pas comprendre par quel moyen de raisonnement et de logique on donne priorité à une compagnie étrangère, une compagnie de l'Afrique du Sud, pour acheter ces bâtiments, quand nos citoyens passent second.

It seems this bill allows for one of the following purchasers—and I do not want the minister to think I am inventing potential purchasers. I will tell him who is interested in buying these units. The Toronto Star, February 20, 1986, reported that Mr. Shaver, a vice-president at Clarkson Gordon, said the following:

"Shaver said the company has received requests for more information from across Canada"—this is in regard to purchasing these units—"from the United States, from England, from West Germany, from Bahamas, from Bermuda, from Hong Kong and from South Africa."

This bill says the following: It is fine for a South African company which offers the best price to buy the 11,000 units of what were previously the Cadillac-Fairview apartments. This bill will allow it, while tenants who have lived in these units for the past 15, 20 or 25 years do not have first right of purchase. They are denied, but a South African company, whose regime we abhor, is allowed to purchase. There is something shamefully wrong.

The hypocrisy I see is allowing Bishop Tutu to address us about that regime, and a law is to be passed in this same Legislature giving priority to a South African firm to buy these units, to increase the rents by 13 or 14 per cent, to make a profit; yet the tenants, the citizens of this

country, are forbidden. Even when the landlord says, "I would like to waive my rights as the receiver, negotiate and give you lifetime tenure, give you units you cannot find at the price anywhere on the market," the minister says: "No way. We will prevent you from doing that." Talk about hypocrisy.

The minister has received letters from the High Park Tenants' Association, as have all of us. I will tell members what the agreement is all about. I will not go into the history of how these people went through three or four years of insecurity and fear. They finally negotiated something, because two Liberal ministers told them to negotiate.

Mr. McClellan: Who were they?

Mr. Shymko: I will tell the member who they are. The first minister who told the tenants of High Park to negotiate, in November, was none other than the member for Wilson Heights, the Minister of Consumer and Commercial Relations.

Mr. McClellan: Who was the other one?

Mr. Shymko: The member for Bellwoods asks who the other one is. The other one is the very minister who is introducing this bill, and that is documented in the letter we have all received.

There were 125 copies. Each member of the Legislature received one, including the Speaker. David Fleet, the legal counsel to the High Park Tenants' Association, said, "I met with the minister, and he told me, 'Go ahead, David, negotiate.'"

He told them to negotiate, and they did. I will read the agreement they negotiated. The minister should listen to it. There are five points in this agreement. The first says, "The average purchase price of these units will be less than \$69 per square foot." Can the minister find a condominium selling today for less than \$69 a square foot? Talk about a bargain.

5 p.m.

The second point is that the receiver, the landlord, says he will contribute \$14 million of a reserve fund for all those tenants to do the following: to upgrade the buildings, to maintain them and to rebuild things. The landlord was willing to give \$14 million in the deal. Does the minister know what \$14 million represents? If a South African or Hong Kong firm buys the buildings, there is not going to be any \$14 million. Does he know what \$14 million represents? It represents \$100 a month for three years in a row. It represents \$100 a month for a

widow or for a pensioner on a fixed income. It represents \$100 a month on the average for three straight years. The minister is saying, "No way."

Point 3 of the agreement, which two cabinet ministers urged my tenants to pursue, says the landlord will guarantee that for the next five years there will not be an increase of more than four per cent per annum on the rents. They will freeze the rents at four per cent, notwithstanding Bill 51, which tells the landlords they can charge five or six per cent. The agreement says that for five years there will be no more than four per cent increases in rents.

Where does one find that today? Where does one find a landlord today who says, "The law says I can take six per cent, but I will take only four per cent for five years"? Let the minister find me a landlord in this province who agrees to do that. That is in the agreement in point 3.

Another point in the agreement, point 4, guarantees security of tenure for those who want to continue to rent. It guarantees a lifetime tenure. One can live in that building as long as one wants, no matter who the owners are, no matter who purchases it and flips it. Where does one find that in the province today? The minister says, "No way."

We now come to the last point of the agreement, which states the landlord will give the tenants new appliances worth \$1,000, a new fridge and stove. If they do not want them, they can deduct \$1,000 from their rent. Where does one find that in this province?

It is a hell of a deal. There is one problem with this agreement. I have to be fair to my tenants. We have to be straight with our people. I met my tenants and I said: "There is something wrong with this agreement. Points 3 and 4 cannot happen." How can one tell tenants they can have a lifetime guarantee when there is no such thing in the statutes of this province? How can one say there will be no increase of more than four per cent for five years when there is nothing in the law that allows a landlord to do this?

In fairness, I told the tenants of the 2,600-odd units in my riding and the tenants of all the Cadillac Fairview apartments, as was reiterated by the Supreme Court of Ontario ruling on March 7—of which the minister is well aware—that the Landlord and Tenant Act and the Residential Tenancies Act do not allow for these increases. Unless there is a bill, be it Bill 11 or an amendment to those two acts, you cannot promise that in any agreement. You are lying if you say they can have lifetime tenure.

The Acting Speaker: Order. Did you accuse the minister—

Mr. Shymko: No. I said anyone who said that would be lying.

The Acting Speaker: You were not directing the word “liar” to the minister?

Mr. Shymko: I was saying “you” in a general, universal sense. You cannot promise lifetime tenure because one is not given lifetime tenure in any provisions of the statutes of Ontario.

I suggested an amendment, which I will be introducing. I thought I could introduce this right here when the bill would go to the committee of the whole House so we could pass it quickly to help these people. The minister refused. He said, “No way.” The compassionate minister said: “I cannot do it. We will put it in the regulations some day.” He does not even have the regulations.

Here he has a chance to implement the best possible agreement for tenants in the history of this province, and he does not want to do it. He has a chance to win the riding of High Park-Swansea. Darn it, he can win the seat; those guys can defeat me, if he will do it. I have never had such friends. I thank the minister, the cabinet and the Premier for making my re-election much more possible. Nothing is guaranteed. We know about “Freedom of Destiny for High Park Tenants.” We know our destiny. Politics is a very insecure profession, but at least we think there should be wisdom in what a government does and the perception it gives people—maybe I comment too much.

I want to thank the honourable minister for the support he is giving me in making my work of being re-elected much easier. If that is his intention, it is a very noble and honourable gesture on his part, and I ask him to pass on my sincere thanks to the Premier.

There are a few cabinet ministers who think he is making a mistake. He is going against his own party in that riding. What nonsense! Talk about grass-roots input. If he believes in grass roots in his own party, why on earth does he not listen to the grass roots of High Park-Swansea and the riding association?

Mr. Gordon: It is grass-roots impotence.

Mr. Shymko: Grass-roots impotence. There may be many connotations of the word “impotence.” I will not dwell on it, but it may be symbolic of many things. We could talk for another 15 minutes about the impotence of things.

Does the minister know that currently, as I indicated, if this agreement does not go through,

\$14 million is gone, a guaranteed increase of close to \$100 per month for three years? If a South African firm or a firm from Hong Kong—for some reason the government prefers foreign ownership to ownership by Canadians; this is the Liberal policy about buying Canadian properties. We cannot even buy our own land for heaven’s sake. We cannot even buy our own homes.

Interjections.

The Acting Speaker: Order.

Mr. Shymko: Who gets the first crack? A company in South Africa gets first choice of buying; it gets the first privilege. Or a company from Hong Kong or the Bahamas. Do we know where Rosenberg is? Rosenberg may be back. Is that where he is, in the Bahamas? I think that is where he is. Player may be back.

Interjections.

The Acting Speaker: Order.

Mr. Shymko: We could give them a numbered company, that is fine. We cannot buy the security of our own affordable shelters. That is the policy of affordable housing. Do we know what affordable housing is? One cannot buy one’s own home. We will get a foreign company to buy it and increase the rent automatically by 12 or 13 per cent. That is affordable housing as far as the minister is concerned.

I want the minister to know the following. He saw the actual agreement and the price negotiated with the landlord for every unit, and he knows—if he does not, I will remind him—that for the foreseeable future it would be less expensive to carry approximately 1,000 of the units following their purchase than it would be to rent them.

Does the minister know that of 1,000 of these units in my riding—and there are 2,600 of them—40 per cent would be cheaper if we gave the tenants the right to buy them than they would be for the tenants to rent? It would be cheaper for 40 per cent of the tenants if they wanted to buy. Forty per cent of these units are cheaper to own than to rent. The minister is depriving the tenants of that. That is his policy of affordable housing.

5:10 p.m.

I could go on and on. The member for Riverdale snickered or made some remarks when I mentioned automatic increases. Let the minister know the following. If a company from Hong Kong purchases these units, what is going to happen is that it will automatically get a five or six per cent increase, guaranteed by Bill 51. If we take the maximum of six per cent, it will automatically get a two per cent catch-up, which

is added to reflect the fact that the complex has never been through rent review. That is eight per cent. The financing costs pass-through legislation for the sale to a new landlord is an additional five per cent. Add six and two and five and one gets an automatic 13 per cent. That is called affordable housing.

I will conclude. We do not have marching orders and we can talk as much as we want, but I will conclude because my colleagues want to address the issue. We want to improve the bill. I join the member for Ottawa Centre who said: "All we want is to improve this bill. All we want is to give maximum protection to tenants. All we want is to give tenants affordable housing." The problem is, they do not understand what affordable housing is all about. They think affordable housing is only about tenants. There are people who own their homes, and that is affordable housing. They have problems with that.

In conclusion, I have an excellent quote. I refer to the intelligent Grits. There are intelligent Liberals, who are sensitive, who understand issues and who understand their responsibilities. I have mentioned the Minister of Consumer and Commercial Relations. I have even mentioned that the present minister had some sense at one time and some months ago told the tenants to negotiate. He even had the sense a few weeks ago to say: "Yuri, your amendments make sense. We will try to implement them." Marching orders; we know from which corner of this building the marching orders came.

I would like to quote a personal friend, a prominent Liberal and a member of Toronto city council. I quote from the Toronto Sun of April 29, 1986: "Toronto Alderman Tony O'Donohue says that the provincial government should keep its nose out of city hall when it comes to condo conversion." It should keep its nose out of municipal government when it comes to condo conversions. The Liberals have always maintained there should be municipal autonomy to decide that.

What does the intelligent, reasonable Liberal say? "It would be totally wrong to be manipulated into a position of bringing down legislation to prohibit them," said Tony O'Donohue to Premier David Peterson." He actually wrote to the Premier. This is what he said in the letter. This is great reading. This prominent, intelligent Liberal concluded his letter to the Premier with the following words: "If it happens"—if Bill 11 happens as it is—"the Liberals will be driving the nail into the coffins of thousands of renters who would like to be masters of their own home."

I will make another point. Not only are the Liberals driving a nail into the coffins of those renters; they are also driving a nail into their own coffin, and they will realize it when it is too late.

Mr. Harris: I have a few remarks I would like to make. I will not be long, but I would like to take a few minutes to get some things on the record.

The people in North Bay and in many other communities around the province do not appreciate Bill 11. In particular, they do not appreciate the condominium aspect of the bill. They do not appreciate being dictated to by the problems of Metro Toronto. Nothing in this bill allows local municipalities to deal with their own housing situations as they see fit.

The member for High Park-Swansea (Mr. Shymko) referred in his remarks to the heavyhandedness of a couple of Liberal ministers. I want to associate myself with those remarks. I am hearing far too many reports coming from far too many people that Liberal ministers, presumably with the acquiescence and perhaps the encouragement of the Premier, are threatening various parties to do this or to negotiate that, to accept this bill or they will be threatened with worse. "You accept this or we will do this to you. You may not like it, but sit down and negotiate this or this is all you will get; it will be a lot worse for you." That was in one meeting with the tenants and in a separate meeting with the landlords. I do not think that is the way a government should exercise the power given to it by the people. It obviously is the Liberal way, but it is not the way I think a government should exercise its legislative power.

We have seen that abuse of power in the negotiations, which I put in quotation marks because there were never any serious negotiations; rather, there was an abuse of power in the government's dealings with the doctors. We see it in its dealings with the lawyers, with the Attorney General (Mr. Scott) saying, "Take this or you will get a lot worse." We have seen it with the pharmacists and the drug companies. Now, with the two bills we are dealing with today, we are seeing it with the tenants, the landlords and the builders of the province. It bothers me and many people around this province.

The member for Sudbury (Mr. Gordon) and the member for Eglinton (Mr. McFadden) raised repeatedly during the fall and the early winter the plight that was faced by hundreds of tenants, particularly senior citizens, who were facing eviction from their affordable apartments to allow their units to be demolished and replaced

by luxury units or whatever. At that time, our party urged the government to introduce emergency enabling legislation to give the city of Toronto and other concerned municipalities the power to control the demolition of affordable apartments where the need to preserve such accommodations is real. We did not ask for legislation that ordered every municipality to do this and to comply with that. The legislation was needed last fall and last winter when we called for it, it was needed this spring when we called for it, and it is needed now.

5:20 p.m.

The Minister of Municipal Affairs (Mr. Grandmaître) promised to bring in demolition control legislation by the end of January. He did not do it. Under further questioning by the member for Eglinton, after the end of January, the government indicated it would bring in the necessary legislation but would not do so before the February adjournment. If this had been done, the bill could have been referred to committee during the adjournment; it could have been redrafted, with considerable improvement. That did not happen either.

What happened was the introduction of Bill 11, not a bill to deal with the problem we talked about but a bill that attempts to deal with that problem in a way we would propose to amend, not in a permissive way, and a bill that encompasses many other things as well. It was introduced in May, several weeks after the start of this new session. Instead of bringing in the emergency demolition control legislation as requested, the government chose to introduce Bill 11, which muddled demolition control with condominium conversion. That is a controversial question; it is a question that needs to be treated differently in Metropolitan Toronto as opposed to Ottawa, differently in Ottawa as opposed to London and very differently in North Bay and in other communities like North Bay as opposed to Metro Toronto. There is absolutely no doubt that this government should have separated the two issues.

The demolition control proposal could have been dealt with quickly, and it could have been passed. It could have been done last year. It could have been done last winter. It could have been done this spring. But no, Bill 11 was introduced instead, and it was called for second reading debate in July, when the session would normally have been adjourned; when, as everybody knows, the adjournment date was June 19. That was what all parties were shooting for. When does this bill come forward? What kind of

priority does it have in this government? July is when this disaster was called.

The condominium conversion proposal, which raised many other issues and many other questions, quite frankly requires and deserves further consideration and further public input from many communities around this province.

The combining of both demolition control and condominium conversion in one bill has confused two very important issues. I believe it displays bad judgement on the part of the government. I believe it displays a failure to understand the issues involved. The only motive I can think of, and I want to come back to it, is the threats and the threatening way this government chooses to do business.

Mr. Shymko: Or nothing.

Mr. Harris: Or nothing. We will solve the demolition problem. Just tell everybody to buy these other 85 things that affect the people all around the province and that have nothing to do with demolition control. That is how they will solve the problem.

We are not afraid to stand up and be counted. We are not afraid to stand up and point out that this is not the way a government should do business. We are not afraid to put on the record how we think the government should proceed. We have called for demolition control since last year. We are prepared to support it if it is reasonable. We are prepared to deal with it quickly, but that is not what this government has asked us to do. It has asked us to sell ourselves out. It has asked us to deal with all kinds of other issues in the same bill, and that tack will not work.

This party believes in much of what is in this bill, but it also believes we are dealing with two very separate issues. While we will be supporting second reading of this bill today, we will be asking—indeed, because we must, we will be insisting—that this bill go to standing committee, where we hope some sense of reasonableness will come to the government, whether it is by splitting the bills or by looking at what are reasonable amendments that have been put forward by our members and that, quite frankly, have been virtually ignored by the government, which feels it has the power to ignore us. We will insist that this bill be treated in a proper and correct manner.

Mr. Gregory: I would like to identify myself with the remarks of our House leader and the member for High Park-Swansea. What impresses me is that with all the minister's thrashing about over there and all his remarks about great

new plans for housing, Bill 11 has not produced and will not produce one more rental unit. This bill might look good, and the minister might feel good about it and think he is doing a great thing for renters, but not one new unit will be produced.

This is not the function of a Minister of Housing. The function of a Minister of Housing is not protectionism, as this is; it is to bring us new rental units, which he has not done. Unfortunately, I have to support this bill. I would rather not, because it does not accomplish a thing.

Mr. McClellan: I do not want to take a lot of time, because we are anxious to pass this item and get on to the rent control bill, but I do want to comment briefly.

I listened with amazement to the Conservative speakers in this debate. I have been here for the past 11 years and have watched the Conservative Party oppose and frustrate the requests of tenants across this province for demolition control and conversion control. Now they proclaim they are interested in both these things, but I do not believe the honourable gentlemen have changed their position.

By sending this bill out to standing committee, they are simply ensuring that many thousands of tenants in this province are unprotected between now and some time in October when we come back. My Conservative friends will have a lot to answer for, by having left many thousands of tenants vulnerable to being thrown out of their houses and on to the street. That is the consequence of the position the Conservative Party is taking.

We could easily deal with the problems of this bill here in committee of the whole House, have the debate in committee of the whole House and the amendments could be put forward and voted on. What we have is a request for a stall and for a delay that will frustrate the desires of tenants in this province for demolition control.

The Conservatives' enthusiasm for condominium conversion control ignores the security of tenants. It ignores the issue of what happens to people who are now in rental accommodation and whose landlords want to throw them out on to the street to make a quick buck by converting to condominiums.

5:30 p.m.

Mr. Harris: I am pleased I have one minute and 56 seconds to respond. I thank the member for Mississauga East (Mr. Gregory) for his comments. They were thought-provoking and intelligent and made a lot of sense.

I do want to comment briefly on the comments from the member for Bellwoods (Mr. McClellan), the honourable House leader for the third party. The member made what I thought was a ridiculous statement that it is on our party's head that tenants will be evicted for demolition over the next period. Nobody said this should take until October or November. My understanding is that the House is very likely sitting all summer, and surely this can be dealt with during that time.

Second, as I indicated in my remarks, we called for demolition control legislation in November, December, January and February, and the government has chosen to bring it forward on July 2. The member for Bellwoods also said that he has difficulty believing the members of our party. I suggest that is close to calling us liars. Let me assure the member that when we take a position, we mean it and we are serious about it.

Mr. McClellan: The members had their chance.

Mr. Harris: No, we are here. If the member wants to live in the past 42 years, that is fine. It would probably be more enjoyable for us to live in the past 42 years than it would be for any other members of this House. We are not asking for that. We are here today and this is our position. It is very up front and very forthright and I condemn the government for the way it has handled this legislation.

Hon. Mr. Curling: This is not politics. This is not a vote-catching bill. The bill is simple. It is a bill for the protection of rental property. Yesterday I listened extremely carefully to all the members as they spoke about this bill in principle. I listened to the official opposition critic, the member for Sudbury. The member stated that the bill is urgent, to protect tenants from losing their homes through demolition, eviction or extensive renovation. This bill addresses exactly that. However, he stated he will not support the bill the way it is written. He said that he has to think about it and get it into committee. I think he is confused.

Yesterday, the member for Sudbury spoke about the fact that this bill says nothing about supply. I want to make this very plain to the honourable member: Bill 11 has nothing to do with supply; it has to do with the protection of rental property. I have said that on numerous occasions.

I know the honourable member is very concerned. He spoke about his constituency and the concerns of tenants. If the member sticks around for the summer, I will walk with him

through some of the metropolitan areas where tenants are losing their homes, not only through demolition as the only thing to be addressed, but also through different means, such as evictions for renovations so extensive that they have to lose their homes.

Of course, there is a concern about demolition, but of what use will it be to bring in one bill now on demolition, another bill in two or three weeks on eviction and a third bill on other concerns about people losing their homes? Because the previous government had spent such a long time in government, we thought they would understand a comprehensive bill. I do not think they do. They would like to do it one by one.

They spoke about intelligence. I am prepared, and I am glad the honourable House leader said he will be here all summer.

Mr. Shymko: Are you prepared?

Hon. Mr. Curling: I am prepared to stay here all summer to discuss not only Bill 11 but also Bill 51.

The member for Ottawa Centre rose yesterday and gave us living examples of what is happening to people who are losing their homes. We want to act now. We want to act immediately. This government is committed to the speedy passage of Bill 11, and we will do it if we stay here all night or all summer. I am prepared. I am concerned. My government is concerned and many members here have the concern that they will do that. This government will do everything possible to ensure passage of and royal assent to this bill.

It is very regrettable that the official opposition has taken this kind of approach. They have utterly refused to co-operate in protecting the tenants of this province. The only reason they will not support this bill is because—

Mr. Eves: Was there something wrong with bringing in this bill in March, April, May or June? What was the minister doing? Was he on holidays or what? Where has he been? What the hell was he doing, instead of it being called?

Hon. Mr. Curling: It is here in July and because it is late, so they say—although this has been on the table since it was introduced in May. It has been waiting every day for us to proceed with second reading. As soon it arrived we would recommend this to the committee of the whole House, but no—

Mr. Harris: The minister is in the government. He could have called it? Why did he not call it?

Mr. Ashe: The government House leader determines the order.

Mr. Harris: If he called it in July he should not blame anybody else. He called it in July; he could have called it in May.

Hon. Mr. Curling: He said it is July. The members state it is July.

The Acting Speaker: Order. Although I am very close to the minister I can hardly hear him.

Mr. Harris: On a point of order, Mr. Speaker: The minister is misleading the House. He is telling us things that are not there. He is accusing us of not calling this bill until July 2. If he is going to lie to the House, you probably do not want to hear him.

The Acting Speaker: Order. The member for Nipissing (Mr. Harris) has used the word “misleading.” Would he please retract that word?

Mr. Harris: As appropriate as I thought it was, I would be happy to withdraw it.

Hon. Mr. Curling: I heard the member say also that I was lying.

Mr. Harris: As appropriate as I thought it was, I will withdraw it as well.

Interjections.

The Acting Speaker: I have not heard the member at all.

Mr. Harris: I thought the minister understood how the House operated. If he does not, I will withdraw the remarks and chalk it up—

The Acting Speaker: Is the member withdrawing the remarks? Is he withdrawing the words “misleading” and “lying”? Is he withdrawing the two words?

Mr. Harris: I have been on my feet three times saying I withdraw them and chalk them up to the fact he does not know how the House operates.

The Acting Speaker: The member must understand that I cannot hear because of all the noise. I accept his withdrawal.

Hon. Mr. Curling: Regardless, while the member might want to get me into procedures, I am saying, and the government is saying, that we have a bill before us today to protect the tenants and we are prepared to proceed and get it passed as quickly as possible. I want to emphasize that a tremendous hardship is being placed on these tenants.

5:40 p.m.

I heard the third party critic express his concern about amendments he would like to introduce. Again I stand to be corrected: if he has

amendments, there is a process for it through committee of the whole House; or given the muzzling attitude of the official opposition, a standing committee to drag it out and to get tenants in the tremendous hardship in which they will be placed.

The member for High Park-Swansea stood up and spoke about my consultation approach, my sharing of information with him, sharing my staff with him, saying that I had agreed and that I may have been distracted by my colleagues or my staff. I will try to express the type of individual I am. I have not been here 10 or 15 years so that everyone understands who I am. However, I am sincere about the fact that tenants must be protected. I am also sincere about landlords being properly treated. Hence, I want to emphasize to the honourable member that we are protecting rental units. While he asked for lifelong tenure, our approach is to protect affordable rental property in the province.

I hope I am able to articulate and carry this important bill. I know how much it means to the tenants. I know how much it means to the system to have affordable rental units in Ontario. While Bill 11 protects the loss of affordable stock, we have in place—for the information of the members who seem to forget—a supply program to bring many affordable rental units into the province this year. We expect 44,000 units and we are addressing the supply end of it.

In the meantime, there is great concern, mainly due to the gross neglect of those members of the official opposition who did nothing to protect those tenants.

Mr. Harris: The minister is lying again.

The Deputy Speaker: Order. The member for Nipissing will withdraw the word "lying."

Mr. Harris: Perhaps the minister was misinformed again. I will withdraw the word "lying."

Hon. Mr. Curling: In conclusion, I want to read a quote written by the opposition critic, the member for Sudbury: "The Liberal government, after eight months, still has not addressed this problem in a substantive way. Affordable units which are at a premium in Metro Toronto continue to disappear and the minister turns a blind eye to the problem." We assure him that our eyes are wide open now and I need the support of all members to take this bill to committee of the whole House.

Motion agreed to.

The Deputy Speaker: Shall the bill be ordered for third reading?

Some hon. members: No.

Hon. Mr. Curling: I would like the bill to go to committee of the whole House.

The Deputy Speaker: Those who are standing will remain standing.

Sufficient members having objected by rising, the bill was ordered for standing committee on resources development.

RESIDENTIAL RENT REGULATION ACT

Hon. Mr. Curling moved second reading of Bill 51, An Act to provide for the Regulation of Rents charged for Rental Units in Residential Complexes.

Hon. Mr. Curling: Today we move forward with historic legislation. The Residential Rent Regulation Act brings to Ontario a new and improved system of rent review that is fair and equitable to all. It is legislation that protects tenants, is fair to landlords and sets the stage for the rebirth of rental housing construction in our province. It is one of the major components of the assured housing for Ontario initiatives announced last December. Furthermore, it is legislation that is truly remarkable for the way in which it came about. For the first time ever in Ontario, landlords and tenants sat together and reached a consensus on a system of rent review that provides justice to both parties.

As I said when I introduced this legislation on June 5, the people of Ontario owe a debt of gratitude to the members of the Rent Review Advisory Committee, the nine landlords and nine tenants who put aside their particular interests to work for the common good. The recommendations of the Rent Review Advisory Committee, which touched on virtually every aspect of rent review, have been incorporated into this legislation. We are continuing to work closely with the committee on amendments to the legislation.

It is my intention to ensure that the legislation accurately reflects the consensus reached by the tenants and landlords on the committee. I believe the agreement reached by the landlords and tenants of the Rent Review Advisory Committee provides a fundamental strength to this legislation. As I mentioned last year, the committee recognized that rent regulation should promote improved relationships between tenants and landlords and contribute to the social and economic wellbeing of our society. Bill 51 achieves that end.

In the new legislation, most of the changes being introduced to the rent review system will have the effect of bringing rent increases down.

The average rent increase faced by tenants will be lower under the new legislation than under the previous system of rent review.

First, and most significantly, the introduction of the rent registry will virtually eliminate illegal rent increases, and in 1987 we can expect rollbacks of previous illegal increases.

Second, the use of a fixed allowance for operating costs will prevent landlords from stacking costs into rent review years in order to obtain higher rent increases.

5:50 p.m.

Third, the provision for the reduction for recurring capital costs will reduce future rent increases as tenants are no longer required to fund the same capital expenditures over and over again.

Fourth, the financial-costs-no-longer-borne measure will reduce rent increases when interest rates go down. In short, tenants will be able to reverse rent increases when a landlord is no longer paying high financing costs for the mortgage of his or her building.

Fifth, among the amendments I will be introducing are those to prevent rent increases where there is a continuing substantial violation of provincial maintenance standards.

Sixth, the new legislation will bring some 130,000 units into rent review with the extension of controls to post-1975 units.

Seventh, because we are allowing a fair rate of return on new buildings, the private sector now will resume construction in a climate of confidence. This new supply of rental accommodation will also serve to keep rents down.

Eighth, by making fee money illegal, the cost of access to available rental housing will be reduced for tenants. Moreover, should stable inflation continue, the guideline itself will fall below five per cent in 1988.

Finally, should inflation again increase beyond six per cent, the guideline is designed to keep rent increases below the rate of price increases. Surely, it is at high rates of price increases when tenants need the strongest protection. This is a protection we have given them.

Over and above the guidelines, there is much more in this legislation for both landlords and tenants. One of the significant elements of the new legislation is the creation of a new system of rent review based on consultation and co-operation between tenants and landlords. We have dispensed entirely with the court-like setting of the past and the long delays in obtaining and completing a rent review hearing.

Under the new system, tenants and landlords will have ample opportunity to examine all the documents and to have their questions answered by the rent review administrator. Both parties will have free access to the administrator hearing their case and to make submissions in writing or orally. If either party is not satisfied with the decision at the local level, he can appeal to the Rent Review Hearings Board.

For the first time, we will establish a new Residential Rental Standards Board to set appropriate standards for building maintenance across the province, a measure to ensure that all tenants receive a good standard of maintenance in their building, something many tenants have requested for many years.

We will have better enforcement of rent review laws under the new legislation. Since the new system is fair and balanced for both parties, there is no excuse for gross violations or wanton disregard of the law. As such, the new rent review system will be enforced as the system has never been in the past.

We will also have a major educational program under the new legislation to ensure that tenants and landlords are aware of their rights and responsibilities in the area of rent review. Not least of all, the new legislation provides a crucial incentive to builders and investors to begin constructing new rental housing again in Ontario. This is what we are trying to accomplish in the long run with this legislation. We are trying to increase the supply of rental accommodation to the point where tenants will have some choice in the housing market. We will achieve this end by ensuring that landlords are treated fairly and that tenants are fully protected. That includes protection from arbitrary rent increases.

We prefer to look to the long term. We have presented legislation—which was arrived at with the assistance of landlords and tenants—to bring a far better system of rent review to Ontario. It is legislation designed specifically to produce lower rent increases for tenants in the future, while treating landlords in a fair and equitable manner. Ontario will be better off because of it.

Mr. Gordon: It is indeed a pleasure to rise this afternoon to talk about Bill 51. It seems that any time I have risen lately to speak about any bills which have been presented by the Minister of Housing (Mr. Curling)—whether Bill 11, which just received second reading, or Bill 51—the one thought that is uppermost in my mind is that the vacancy rate on average across this province is about 0.3 per cent. I am sure it is also uppermost

in the minds of most Ontarians today, given the crisis in rental housing.

It pains me to consider that this party, this critic and the critic for the New Democratic Party started back in July–August, September, October, November, December, January, February, March, April—and it was not until May that this government deigned to see fit to come forward with a bill to address the problem of demolitions and conversions. When I see that after all those months, I have to question the sincerity of this government.

I am sure the Ontarians who are faced with those vacancy rates and unable to find apartments are also questioning the sincerity of a minister who would make statements such as he did a few moments ago. He was questioning the integrity of our party, which called for the kind of action that was finally taken in May and was then not brought forward into this House until July. He then expects the people of Ontario to buy the idea that the regulations that go along with bills are of little consequence.

I hope the Minister of Housing will listen very carefully to this. We in this House know that regulations are quite often the very heart of a bill. These regulations must be examined by the public, especially through committee. A committee gives the public the opportunity to come forward and address its views with regard to a bill and to get an idea of what regulations will be involved. Regulations are always passed by cabinet, and they are usually passed without any public scrutiny. The public just finds out about it in an offhand way when it goes to do something.

The minister is not giving people full information when he says, "We are not going to have this bill go to committee." This party has made it quite clear, as I said, that there were all those months that intervened before May. Then we waited and nothing happened. The government had the opportunity. It could have called this any time it wanted to after May, and it chose not to. Yet it will turn around and say about Bill 11, "Not only did we not call it, but we do not expect the public should have the opportunity to discuss it at committee." I say, "Shame on the minister." That is not the way we do things in this province.

I will address my remarks now to Bill 51.

Mr. Callahan: Is that how Suncor was bought? It was after discussions, was it not?

6 p.m.

Mr. Gordon: We are having an example of some of that hot air right now.

After the innumerable press conferences and ministerial statements we have seen during the

past year and innumerable introductions of this bill, I really have to laugh. I am sure the people of Ontario who were watching on television the day this minister introduced Bill 51 had a big chuckle. Not only did they have a big chuckle, but perhaps they were also a little pained and a little worried to see a minister bring in a bill and then withdraw it immediately because there had to be amendments to it.

On the day he introduced it, on the day he talked about what a wonderful bill he was bringing in, the minister had to withdraw it. If that is progress in this province, I do not know what is. That was despite the fact that the minister had from December to get the bill ready. I am sure the public was very impressed with the minister's actions on the day he introduced the bill.

Nevertheless, we have had numerous occasions, numerous press conferences and celebrations even in the Premier's office during the past few months. It is incredible that we finally have something in hand. We do have something in hand, and I will address myself to that bill this afternoon.

First, our party views this as a very complex bill that makes significant changes in the rent review system. It is a bill that is going to have far-reaching ramifications and requires thorough debate by committee and full public input from both landlords' and tenants' groups in this province because it is so complex.

Despite the minister's insistence on its simplicity and his cutesy residential-complex cost index and building operating cost index, I believe the ramifications of this bill will be fully understood only after full analysis and debate. Thus, while our party supports Bill 51 and will support it on second reading, public input and full debate on this legislation will determine our final decision.

Bill 51 has been preceded by many grandiose statements and inflated metaphors: many promises of a new day for tenants and landlords in this province and many commitments to meet the housing crisis head on. Indeed, there have been promises not only to maintain the status quo but also to do much more than that: to meet the backlog of unmet needs.

It is thus disturbing to find that even those who signed the Rent Review Advisory Committee recommendations see this bill as nothing more than damage control, something that will barely maintain the status quo. I remind the minister that the status quo is currently a vacancy rate of 0.3 per cent in Toronto and not much higher in our

other major urban areas. The status quo is also thousands of homeless people. I do not believe such a status quo is acceptable.

For sure, Bill 51 is not a piece of legislation that will take us out of the crisis we have plunged into as a direct result of the minister's lack of leadership. For sure, without the input of the landlords' and tenants' committee, the government of the day was so bankrupt and bereft of ideas that the Fair Rental Policy Organization of Ontario referred to Bill 78, prior to its input, as one of the most draconian pieces of legislation ever put to paper.

We must at this time commend the landlords and tenants for finding a compromise that both parties could live with. We must recognize the hard work of the members of the Rent Review Advisory Committee. Without their input, as I mentioned earlier, we would not have what appear to be some positive measures that are present in Bill 51. However, I must put the possible achievements of this bill in a context, because it was not out of the inherent wisdom of the government that we see here some of these positive measures.

The government may have brought the two groups together, the landlords and the tenants. If I recall correctly, they held a big party and a press conference on April 18 to announce their recommendations. The minister called it an historic event. Then, as I mentioned, he proceeded to take those recommendations and completely destroy the so-called delicate balance he talked about on that day, the balance which the tenants and the landlords had finally managed to chisel out for themselves through hard work and long hours, a delicate balance they sometimes warned him was delicate.

The landlords and tenants told the minister their recommendations were full of compromises and tradeoffs and must be accepted as a total package. What did the minister do? He undid the package. He brought in a bill that damaged this delicate balance of fairness, as it was called. He had a celebration, a big party, and yet he brought in a bill that did not meet the understanding he had with those landlords and tenants. If that is not a form of hiding from those people the reality of what he wanted to do, I do not know what is.

Did he really think the landlords and tenants would go for that? Surprise, surprise; they did not. The Fair Rental Policy Organization of Ontario, which represents the developers and landlords of this province, was about to go ahead with a full-page advertisement that was basically an open letter to the Premier asking why he had

broken his promise and why he had not honoured his word. The minister also had the tenants threatening to go public with their disapproval. It must have been dicey.

The minister knows as well as I do that many tenants felt strongly they had been sold down the river. He may have got their representatives to agree in secret meetings to some of the provisions and tradeoffs in the bill, but those they represented were not happy with the outcome, and they still are not. I am sure he will be hearing from them during the committee hearings. They are already busy preparing their briefs.

Of course, the minister did not want all that negative publicity, especially after having the big party and holding the press conference to celebrate a bill that neither the tenants nor the landlords had even seen. The members should have been with me that day. I was at the press conference downstairs. The minister was sitting with his aides, and the landlords and tenants could not comment on the bill because they did not know what was in it, but they were there to celebrate it nevertheless. Is that historic? Is that history? I think not.

After such a celebration, the minister would not have looked too good if both parties went public and said neither side was happy and both sides were pulling out of the deal. I understand he finally sat down and agreed he would honour his word. He got dragged back to the negotiating table and as a result we have Bill 51 and the regulations that are going to follow it, which supposedly will help to make sure his deal is good.

In commenting on the bill, I have to say there are measures in it that appear to be progressive. Because of the changing nature of the needs of Ontarians, the changing demographics and the changing economic factors, they seem like fairer measures for the day, measures that will allow landlords to eliminate economic loss, measures that will eliminate costs no longer borne, measures that will allow landlords suffering from chronically depressed rents to receive hardship relief and measures that will provide incentives for landlords to maintain their buildings better so tenants have decent accommodation.

6:10 p.m.

As for BOCI and RCCI, the building operating cost index and the residential complex cost index, the idea of linking rental increases to inflation or of linking rental increases to the way in which inflation influences the landlord's operating costs, I have fears that what sounds good on paper may prove less so in reality. I find

it difficult to accept as fair the fact that rental increases will go higher than anything else in the province this year and next year and the year after. They will be higher than inflation. They will be higher than the average wage settlement. Tenants will have to spend a larger percentage of their income on rent.

Somehow it escapes me how this formula, which the minister refers to as BOCI and RCCI, is going to do much for the crisis in affordable housing that 200,000 people are already experiencing in Ontario. I have repeatedly asked the minister and ministry civil servants for simulations of the average rental increase. How many landlords can we anticipate will apply for increases above the guideline? How many of the 120,000 units that are now brought under rent controls through this bill will go to rent review? Will they be at the high end or the low end, or both? We receive no answer. So much for an open government.

The minister says the guideline increase will be only 5.2 per cent or 5.5 per cent. Today he was saying it would be 5.1 per cent. Today in the House the New Democratic Party Housing critic computed quite accurately what the rent increases are going to be. Some people are going to be paying more than 10 per cent extra as a result of his machinations. The minister refused to answer the critic's question.

Does the minister not realize that when he gets up in the House to answer a question he is not speaking just to us or to the press up there? Through television, he is talking to all Ontarians. How does he think they react and feel when they do not get an answer? He is the minister.

How can those tenants living in units with chronically depressed rents, who already suffer from an affordability problem, afford the higher rents? I have been informed that the ministry has made a commitment to the tenants that, although the plight of such tenants is not addressed in the legislation, it will be taken care of administratively. Perhaps those civil servants who briefed the minister and who are listening in the gallery can inform him of this, because he seems not to be aware of the commitment he made to the tenants that he would take care of their plight. It seems it has not gone high enough up the totem pole of priorities yet.

I am anxious to hear what options the minister is considering that will allow landlords to increase rents but not have the tenants pay increased rents in those units. Perhaps a fairy godmother is going to pick up the tab. On the one hand, he is saying the people with an affordabil-

ity problem who are living in those chronically depressed units are not going to have to worry, but he is not explaining how he is going to take care of them. Their rents can go up, but they are not going to have a problem.

Of course, we are constantly hearing the blustering about this historic piece of legislation, the climate of certainty the minister is creating and the new confidence we are going to see in the development industry. But let us look closely at the context in which those developers came to the table.

They had a gun at their heads. They were faced with a four per cent rental guideline and the commitment through his six-point accord with the NDP to bring all buildings under rent controls. For the industry, this meant complete devastation. What could they do but co-operate with him? It was either death or life imprisonment; so they chose life imprisonment. What could they do? They were told, "Rent controls are in," so they figured, "If they are in, then let us at least try to fight for ourselves and get the best deal we can within those prison walls." They are not celebrating those prison walls by any stretch of the imagination.

As he is well aware from their many public and radio announcements and their \$2-million advertising campaign, they are devoted to educating the public on the horrors of rent controls. Perhaps they will taper off for a little while until this bill gets a little more credibility, but they are going to be back, because philosophically they are against these controls.

The developers and the landlords will tell him Bill 51 may be legislation that allows for some return on their investment, and even the tenants realize that if they want more rental housing built, landlords have to make a profit. But they will also tell him there is no guarantee, regardless of what legislation is in place, that they will build it, because there are many economic factors that determine the wisdom of re-entering the rental housing market.

This is where I must take umbrage at Bill 51, the same as I have taken umbrage at the way in which the minister handled things with Bill 11. Neither bill is designed to create more affordable housing in this province. Neither bill does that, and yet he keeps jumping up in this House and saying what wonderful things he is doing for housing in this province. It is just not happening.

Supposedly, the government of the day recognizes it has to get back into the rental housing game. It is going to build more nonprofit and social housing to take care of the low end of

the market. That sounds promising. I am just reminding the minister of things he said. Unfortunately, it only sounds promising. If he looks closely at these promises, they evaporate in his face.

The minister announces many programs. He repeatedly reminds us of his commitment to 6,700 nonprofit and co-op units this year to be funded jointly by the federal and provincial governments. Many consider that program a flop; it is not working, because the maximum unit price the feds are offering is not a large enough subsidy to make it feasible to build.

Therefore, I have my fears that those committed social housing units may be committed on paper, but they will remain exactly that: paper houses; they will never be brick and mortar. However, the government will be able to say to the tenants: "We offered the program, did we not? We said we would build more new nonprofit. It did not happen. What can we do if no one took up the offer?" That is cold comfort indeed for those who are looking for a roof over their heads.

Let us take another of the minister's programs. What about the convert-to-rent program? Apparently, people are applying to convert unused space to rental units, but according to guys down at city hall in Toronto, they are all luxury units renting for \$750 a month. The government is paying these people to build luxury units. We do not need luxury units; we need affordable housing.

Part of the Rent Review Advisory Committee recommendations, part of that delicate balance, was for 3,000 more social housing units. That was dropped from Bill 51, and we understand the government now is promising 1,900. That will not matter either, because unless it is willing to put some of that money into the pot for housing in this province—the money that would come from the Treasurer's budget, that \$2.5-billion slush fund he has—next year and the year after, we are not going to have the affordable rental housing that we must have.

It is time those fellows sitting on the back benches over there started to nudge the minister a little bit about this, because when they go out into the hustings in the next election, in every town and city in the province they are going to be asked, "Where are all those affordable rental housing units you promised?" Where are they? Where are those 44,000 units? Where are those 19,000 units that must be built each year if we are even going to maintain the status quo? They are just not there.

It has been more than a year now since this government came into office, and this minister has not been able to get affordable housing built in this province. Not only that, but he has also not been able to get the private sector to build any houses in this province. All we have had to date in this province has been special, little public relations press conferences. That is all we have had.

6:20 p.m.

It is the government that made housing a political issue when it first took power. It said: "The housing situation is terrible. We have a crisis on our hands. Those big, bad Tories did it. They are the ones who created this housing crisis."

Ironically, when I look around Ontario and I go through city after city and town after town, I see all the apartment buildings. When one first drives into Toronto, one sees apartment building after apartment building. That is the proud record of 42 years of building in this province.

However, when I look at this minister and at the Ministry of Housing, I see how little they have done in one year. All the Minister of Housing and his ministry have managed to do in one year is to have a lot of press conferences. What has come out of those press conferences in one year? Is the private sector building affordable housing right now? No way; it is not building. What about nonprofit housing? What about convert-to-rent? Are they building a lot of affordable housing? No way.

The history is that these fellows are fouling up when it comes to housing. If he would only take our advice, this minister could go a long way.

Mr. South: Now he is smiling.

Mr. Gordon: Of course I am smiling. I am just genial Jim. I would not want the member to think I have a bad nature. I am trying to be friendly. I am trying to help the people opposite.

Unfortunately, I see my time is running out. There is one subject I want to touch on before I finish this afternoon: the institutionalization of rent controls. There is a real fear among many Ontarians that Bill 51 institutionalizes rent controls for ever in this province. When we bring in bills as complex and far-ranging as this one, we have to be very careful not to upset the delicate balance that will allow us to make the changes that will be necessary as the vacancy rate improves.

The system that is being set up today is so bureaucratic and complex that we are seeing the institutionalization of rent controls in this province by the Liberal government for ever and a

day. I do not think those people will ever be able to lift rent controls. It is important for any government always to leave some room for change. They are closing the door to change, even to change that could come about as a result of improved circumstances. That is something I would like the minister to think about very carefully.

I find little innovation in this bill. Where are the programs that will help to lower building costs? We will not find them in this bill. Where are the innovative ideas to cut construction costs? Where are the supply-side incentives? They are not here. In case the minister has not been briefed on the failure of his government to grapple with the crux of the crisis we face in the rental housing market, not only do I tell him that he has failed to introduce any innovative ideas but I also maintain that this government has tunnel vision. Tunnel vision is reflected in Bill 51.

This legislation will enshrine and institutionalize rent controls. The Fair Rental Policy Organization of Ontario has put its signature to the recommendations of the minister's landlord and tenant committee, but even the developers it represents have expressed real fears of what this means in the long run. They had little choice: it was negotiate or death. They are very fearful that they have been party to the institutionalization of rent controls.

In summation, we will do everything we can in committee to address what we see as the errors in the drafting of this bill. We will do everything we can in committee to attempt to ameliorate and soften some of the hard edges of this bill. We will be bringing in amendments that we hope will be beneficial to all people in this province—not the landlords, not the tenants, but everybody, the public of Ontario.

Mr. Callahan: I have listened to the comments of the member for Sudbury (Mr. Gordon). I have also read the bill and its explanation. In the real world, this bill has gone a long way towards eliminating a lot of the mumbo-jumbo and bureaucracy that were involved before, which necessitated a Philadelphia lawyer to get a tenant a rate reduction. It has also created an atmosphere within which landlords and tenants had an opportunity for the first time to sit down and discuss the realities of investment versus good living accommodation.

I suggest the member's party take a good hard look at that. A previous Premier of the Tory persuasion brought this in during whatever year he brought it in as an election gimmick and never

bothered to look at the tools of it, how it was to be functioning or whether it was fair to both parties.

This government, in a similar vein to everything it has done since we have been in office, has looked at both sides of the coin. The member talks about the minister in terms of the two bills. Let him look at it from the standpoint of the two bills. The first bill was brought in to ensure that there would be equity. The second bill was put on a shelf to give an opportunity to landlords and tenants to review it.

I have had the benefit of having run in two elections against the member's former revered leader, and I never saw for one minute any consultation whatsoever. Every time he got in trouble, he shoved it into a royal commission. This government has had the guts to stand up and to put issues before committees here. We have the guts to stand up before the people of Ontario. The member's government never had the guts. This bill will go down in history as a fair representation of what is good for landlords and tenants.

Mrs. Marland: I would like to make a couple of comments further to the comments of the member for Brampton (Mr. Callahan). If he thinks this legislation is addressing the needs of the real world in terms of housing, he had better look very closely at the list of needy families that reside within the region of Peel. There are 2,300 families on the waiting list of the Peel Non-Profit Housing Corp., which encompasses the area the honourable member represents. I do not see anything in this bill that looks to the needs of those 2,300 families in providing housing for them. I further suggest that the member for Brampton would do well to look into the real history of the real world of rent controls.

On motion by Mr. Gordon, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Nixon: I would like to indicate the business for the coming week.

On Monday, July 7, we will consider a resolution regarding the Clerk of the Legislative Assembly, Roderick Lewis, and then legislation for second reading and committee of the whole, if required, on the bills in the following order as time permits: Bill 51, rentals; Bill 77, redistribution; Bill 103, election expenses; Bill 97, wine content; Bills 54 and 55, drugs, for committee of the whole House only; Bill 8, French-language services; Bill 105, pay equity, and Bill 109, health disciplines.

We will continue with this list of legislation all week, with the exception of Thursday morning, when we will deal with private members' public business standing in the names of the member for

Oshawa (Mr. Breaugh) and the member for Prescott-Russell (Mr. Poirier).

The House adjourned at 6:30 p.m.

CONTENTS

Thursday, July 3, 1986

Members' statements

| | |
|---|------|
| Waste disposal , Mr. Sheppard | 2113 |
| Police training , Mr. Mackenzie | 2113 |
| International Plowing Match , Mr. Pollock | 2113 |
| Prison facilities , Ms. Bryden | 2113 |
| Red meat plan , Mr. Stevenson | 2114 |
| Members' expenditures , Mr. Martel | 2114 |
| International Plowing Match , Mr. McGuigan | 2114 |
| Rental accommodation , Mr. Cousens | 2114 |

Statements by the ministry and responses

Bradley, Hon. J. J., Minister of the Environment:

| | |
|--|------|
| Sentencing of polluters , Mr. Stevenson, Mrs. Grier | 2114 |
|--|------|

Eakins, Hon. J. F., Minister of Tourism and Recreation:

| | |
|---|------|
| Ontario Lottery Corp. , Mr. Hayes, Mr. Swart | 2118 |
|---|------|

Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:

| | |
|---|------|
| Futures program , Mr. Jackson, Mr. Wildman | 2117 |
|---|------|

Sweeney, Hon. J., Minister of Community and Social Services:

| | |
|--|------|
| Integrated homemaker program , Mr. Cousens, Mrs. Grier, Mr. D. S. Cooke | 2116 |
|--|------|

Oral questions

Bradley, Hon. J. J., Minister of the Environment:

| | |
|--|------|
| Waste disposal , Mrs. Grier | 2127 |
|--|------|

Curling, Hon. A., Minister of Housing:

| | |
|--|------|
| Rent review , Mr. Reville | 2124 |
|--|------|

Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy:

| | |
|--|------|
| Nuclear safety , Mr. Charlton | 2129 |
|--|------|

O'Neil, Hon. H. P., Minister of Industry, Trade and Technology:

| | |
|--|------|
| Occupational health and safety , Mr. Laughren | 2125 |
|--|------|

Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines:

| | |
|---|------|
| Extra billing , Mr. Grossman | 2119 |
|---|------|

| | |
|---|------|
| Alleged conflict of interest , Mr. Brandt, Mr. Rae | 2120 |
|---|------|

| | |
|--|------|
| Alleged conflict of interest , Mr. Harris | 2126 |
|--|------|

| | |
|--|------|
| Northern development , Mr. Pierce | 2127 |
|--|------|

Scott, Hon. I. G., Attorney General:

| | |
|---|------|
| Attendance at meeting , Mr. Pope | 2125 |
|---|------|

| | |
|--|------|
| Police investigation , Mr. Shymko | 2128 |
|--|------|

Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development:

Single-industry communities, Mr. Wildman 2126

Van Horne, Hon. R. G., Minister without Portfolio:

Respite care, Ms. Hart 2125

Alzheimer's disease, Mr. Offer 2128

Petitions

Sale of beer and wine, Mr. Barlow, tabled 2129

Big game animals, Mr. Pouliot, tabled 2130

Naturopathy, Mr. Offer, tabled 2130

Sale of beer and wine, Mr. Philip, tabled 2130

Report by committee

Select committee on energy, Mr. Andrewes, adjourned 2130

First readings

Environmental Enforcement Statute Law Amendment Act, Bill 112, Mr. Bradley, agreed to 2131

Homemakers and Nurses Services Amendment Act, Bill 113, Mr. Sweeney, agreed to . 2131

Municipality of Metropolitan Toronto Amendment Act, Bill 114, Mr. Grandmaître, agreed to 2131

Ontario Lottery Corporation Amendment Act, Bill 115, Mr. Eakins, agreed to 2131

Loan and Trust Corporations Act, Bill 116, Mr. Kwinter, agreed to 2131

Minors' Protection Amendment Act, Bill 117, Mr. Swart, agreed to 2132

City of Toronto Act, Bill Pr25, Mr. Offer, agreed to 2132

Private members' public business

Insurance rates, resolution 46, Mr. D. W. Smith, Mrs. Marland, Mr. Swart, Mr. Knight, Mr. Runciman, agreed to 2093

Small business improvement loan, resolution 45, Mr. Wiseman, Mr. Ramsay, Mr. Ferraro, Mr. Sheppard, Mr. Morin-Strom, Mr. Mancini, agreed to 2102

Second readings

Ontario Association of Speech-Language Pathologists and Audiologists, Bill Pr1, Mr. Reville, agreed to 2132

Scarborough Public Utilities Commission Act, Bill Pr5, Mr. Warner, agreed to 2132

St. Elizabeth Home Society Act, Bill Pr9, Mr. Dean, agreed to 2132

Empire Life Insurance Company Act, Bill Pr10, Mr. South, agreed to 2132

Pamaglenn Investments Limited Act, Bill Pr13, Mr. Polsinelli, agreed to 2132

Sherrydale Investments Limited Act, Bill Pr14, Mr. Polsinelli, agreed to 2132

Alliance Française de Toronto Act, Bill Pr16, Mr. Callahan, agreed to 2132

City of Cornwall Act, Bill Pr17, Mr. Guindon, agreed to 2133

Mylake Mines Limited Act, Bill Pr19, Mr. Harris, agreed to 2133

City of Chatham Act, Bill Pr21, Mr. Bossy, agreed to 2133

Young Men's Christian Association of Cambridge Act, Bill Pr35, Mr. Barlow, agreed to 2133

City of Toronto Act, Bill Pr37, Mr. Offer, agreed to 2133

Rental Housing Protection Act, Bill 11, Mr. Curling, Ms. Gigantes, Mr. Shymko, Mr. Harris, Mr. Gregory, Mr. McClellan, agreed to 2133

Residential Rent Regulation Act, Bill 51, Mr. Curling, Mr. Gordon, Mr. Callahan, adjourned 2145

Third readings

| | |
|--|------|
| Ontario Association of Speech-Language Pathologists and Audiologists, Bill Pr1, Mr. Reville, agreed to | 2132 |
| Scarborough Public Utilities Commission Act, Bill Pr5, Mr. Warner, agreed to | 2132 |
| St. Elizabeth Home Society Act, Bill Pr9, Mr. Dean, agreed to | 2132 |
| Empire Life Insurance Company Act, Bill Pr10, Mr. South, agreed to | 2132 |
| Pamaglenn Investments Limited Act, Bill Pr13, Mr. Polsinelli, agreed to | 2132 |
| Sherrydale Investments Limited Act, Bill Pr14, Mr. Polsinelli, agreed to | 2132 |
| Alliance Française de Toronto Act, Bill Pr16, Mr. Callahan, agreed to | 2132 |
| City of Cornwall Act, Bill Pr17, Mr. Guindon, agreed to | 2133 |
| Mylake Mines Limited Act, Bill Pr19, Mr. Harris, agreed to | 2133 |
| City of Chatham Act, Bill Pr21, Mr. Bossy, agreed to | 2133 |
| Young Men's Christian Association of Cambridge Act, Bill Pr35, Mr. Barlow, agreed to | 2133 |
| City of Toronto Act, Bill Pr37, Mr. Offer, agreed to | 2133 |
| Shoreline Property Assistance Amendment Act, Bill 43, Mr. Grandmaître, agreed to ... | 2133 |
| Municipal Amendment Act, Bill 79, Mr. Grandmaître, agreed to | 2133 |

Other business

| | |
|--|------|
| Recess | 2111 |
| Supplementary estimates, Mr. Nixon, Mr. Speaker | 2112 |
| Members' expenditures, Mr. Martel, Mr. Nixon, Mr. Callahan, Mr. Harris, Mr. Speaker | 2112 |
| Visitor, Mr. Speaker, Mr. Grossman | 2119 |
| Business of the House, Mr. Nixon | 2151 |
| Adjournment | 2152 |

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
 Barlow, W. W. (Cambridge PC)
 Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Callahan, R. V. (Brampton L)
 Charlton, B. A. (Hamilton Mountain NDP)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cousens, W. D. (York Centre PC)
 Curling, Hon. A., Minister of Housing (Scarborough North L)
 Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Ferraro, R. E. (Wellington South L)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
 Gregory, M. E. C. (Mississauga East PC)
 Grier, R. A. (Lakeshore NDP)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Harris, M. D. (Nipissing PC)
 Hart, C. E. (York East L)
 Hayes, P. (Essex North NDP)

Jackson, C. (Burlington South PC)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Knight, D. S. (Halton-Burlington L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Laughren, F. (Nickel Belt NDP)
Mackenzie, R. W. (Hamilton East NDP)
Mancini, R. (Essex South L)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McGuigan, J. F. (Kent-Elgin L)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Morin-Strom, K. (Sault Ste. Marie NDP)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
Offer, S. (Mississauga North L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
Philip, E. T. (Etobicoke NDP)
Pierce, F. J. (Rainy River PC)
Pollock, J. (Hastings-Peterborough PC)
Pope, A. W. (Cochrane South PC)
Pouliot, G. (Lake Nipigon NDP)
Rae, R. K. (York South NDP)
Ramsay, D. (Timiskaming NDP)
Reville, D. (Riverdale NDP)
Runciman, R. W. (Leeds PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Smith, D. W. (Lambton L)
Sorbara, Hon. G. S., Minister of Colleges and Universities and Minister of Skills Development (York North L)
South, L. (Frontenac-Addington L)
Stevenson, K. R. (Durham-York PC)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Van Horne, Hon. R. G., Minister without Portfolio (London North L)
Wildman, B. (Algoma NDP)
Wiseman, D. J. (Lanark PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Monday, July 7, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, July 7, 1986

The House met at 2 p.m.

Prayers.

MEMBERS' STATEMENTS

INSURANCE RATES

Mr. Stevenson: In early June, I raised the issue of liability insurance for agricultural fairs. To date, there is no indication of government action. Community fairs, such as the Sutton Fair and Horse Show to be held during the first week in August, have no affordable liability insurance. Fairs with a significant horse show division appear to be having the greatest difficulty obtaining affordable insurance. Fairs and horse shows are an important part of life in rural Ontario today. They are also a significant aspect of the traditions of rural life.

As a further concern, the member for Hastings-Peterborough (Mr. Pollock) has indicated to me that the International Plowing Match and Farm Machinery Show is having great difficulty obtaining affordable liability insurance for its horse division competition.

As in June, our caucus urges the Minister of Financial Institutions (Mr. Kwinter) and the Minister of Agriculture and Food (Mr. Riddell) to provide a stronger public role in providing affordable liability insurance to fair boards, as suggested in the Slater report.

NORTHERN DEVELOPMENT

Mr. Wildman: Today the Ontario New Democrats are introducing 11 resolutions to begin to build a stable, prosperous economy for northern Ontario. In the past few months, the northern economy has been under attack and almost 5,000 northern jobs have been lost or threatened. Study after study in recent months has made specific recommendations designed to tackle the structural problems bedevilling the economy of northern Ontario. These recommendations are being left to gather dust.

Tomorrow the Premier (Mr. Peterson) will outline his government's plans for northern Ontario. New Democrats are notifying him and his government today that northerners do not need a by-election. They do not need more studies. They do not need glitzy programs that

fail to deal with the serious structural problems in northern communities. What they need is a government that will put more control over northern development into the hands of northerners.

One of the resolutions today is basic. It deals with the setting-up of a northern Ontario fund, an earmarked fund that will be used to provide loans, grants and joint ventures to assist in economic growth.

Northern minerals and forests produce in excess of \$15 billion a year for the economy of this province and yet little is reinvested in the north. We are experiencing a depression and a lot of jobs have been lost. Unless other measures are taken, such as dealing with exorbitantly high gasoline prices in the north, any attempt to develop jobs in the north will fail.

BRAMPTON FESTIVAL

Mr. Callahan: I rise today to thank publicly a number of people who were kind enough to attend with me Carabram 1986 in the city of Brampton. Specifically, the Minister of Citizenship and Culture (Ms. Munro) was kind enough to attend, and I believe she had a good time.

Other people I would like to thank publicly, for Hansard's purposes, are Caryl and Brian McCabe, Gerry and Betty Fitzhenry, Linda and Bob Reid, Pierre and Coleen Beaumier, Dennis Martel and Jane Shanab.

It was an excellent weekend, enjoyed by all, and I hope more of the members of the Legislature will have an opportunity to come out to next year's festivities and see a festival that is equal to, if it does not surpass, Caravan of Toronto.

INTERVENER FUNDING

Mr. Andrewes: From time to time in this Legislature, the issue of intervener funding has been raised by way of questions and statements. The Minister of the Environment (Mr. Bradley) has indicated support for the principle, as have several of his predecessors, but he and the government have yet to support the principle with a legislative mandate.

This matter is of special interest to me and my constituents, particularly since the Ontario

Waste Management Corp., a crown corporation, proposes to locate a liquid industrial waste site in my riding. The proposal will be subject to an environmental assessment, and many interested groups want to appear before the environmental assessment panel. The Ontario Waste Management Corp. and the government created a high level of expectation, and it is now incumbent on both parties to deal with this issue.

I was surprised and amazed during the estimates of the Ministry of the Environment when Dr. Chant indicated that the criteria for intervenor funding and allocation of funding should not be the mandate of the corporation. In the meantime, while the Ontario Waste Management Corp. and the Minister of the Environment, wherever he might be, toss the ball back and forth, many concerned citizens are awaiting an answer. I appeal to the minister to put his mind to this task.

NORTHERN DEVELOPMENT

Mr. Ramsay: One of the resolutions we are bringing to the House today is that the Ontario New Democrats feel not only that northern development is important but also that private companies should negotiate when they want to use the publicly owned natural resources of the north. These agreements should include, but would not be limited to, guarantees from the company to employ and train local residents, to reinvest in northern communities and to use the services of local businesses. Input from communities affected by resource development would play a major role in these negotiations.

We would also like to see the establishment of a community adjustment fund, because plant closings and mass layoffs in the north often have a tremendous impact on the ability of local government to provide adequate services. A plant closing not only deprives local government of revenue but also does so at the very time it creates an increased demand for services, such as family counselling and welfare maintenance. Because of the severity of the impact on local communities, we feel a separate and identifiable fund should be established.

TOURIST BUREAU FOR THE DISABLED

Mr. Rowe: Recently, the Minister without Portfolio responsible for disabled persons (Mr. Ruprecht) made an announcement with respect to the Decade of Disabled Persons and what his government was going to do to improve services for the disabled. In the light of the minister's statement, I want to bring to the attention of this

government a proposal for a very worthwhile service which has been before several ministries for some time; namely, a tourist bureau for the disabled.

It seems this government is not quite as committed in its pledge to better the lives of the disabled as it claims. Not only has the government refused any assistance for this program, but also the Minister of Tourism and Recreation (Mr. Eakins) is too busy to sit down and discuss the proposal with the author and the consultant.

On several occasions, the consultant has been in touch with the minister to discuss the proposal further. The response has been so limited, she felt compelled to write a very strongly worded letter to the minister, dated June 11, to which she has not yet received a response or even an acknowledgement. She has had no success in following up the status of the response, and the minister's office does not even return her calls.

Is this what the government is doing to help improve services for the disabled? What better service for the disabled than a tourist bureau for them? Since nondisabled tourists can obtain information free of charge, it is only fair that disabled tourists should be able to receive the same reliable information. Not only would the bureau provide a valuable and needed service, it would also cause more employment for the disabled and bring more tourism revenue into the province.

I want to know why an open government and one seemingly concerned about the needs of the disabled does not have time to sit down for half an hour and discuss the proposal for a tourist bureau for the disabled.

NORTHERN DEVELOPMENT

Mr. Foulds: Like my colleagues the member for Algoma (Mr. Wildman) and the member for Timiskaming (Mr. Ramsay), I rise to indicate that northern Ontario is in need of real economic development, and government initiative and intervention to accomplish it. With unemployment at twice that of the provincial average, the north must participate in the economic buoyancy being experienced by the rest of the province. If it cannot, then what is a government for? It is time to abandon rinky-dink Band-Aid approaches. It is time for the government to treat the north differently in order to treat it equally.

Job creation and job protection in northern Ontario have to be the key elements in the government's policy towards the north. Specific initiatives to support that key government policy must be:

1. The establishment of a medical school in northern Ontario. We must attract specialists to the north. With a population the same as Saskatchewan's, the north deserves such a medical school.

2. We must have the massive decentralization of ministries and ministry personnel affecting the north so that people who make the decisions about the north live in and experience the north.

3. We must have in the north the establishment of a forestry institute, a northern technology research and development institute and an Ontario mining development foundation.

All these were recommendations of the Rosehart report on resource-dependent communities.

It is time for the government to stop talking and to start acting.

2:11 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

SOCIAL ASSISTANCE

Hon. Mr. Sweeney: In the speech from the throne in April, the government announced its intention to launch a thorough review of Ontario's system of social assistance. A review of these programs by my ministry's staff has been under way for several months.

Today I wish to announce the appointment of an independent public review committee that will help us forge a system that can face the challenges of the 1990s and beyond.

This province spends more than \$1.5 billion a year on social assistance programs that directly touch the lives of some half a million men, women and children, but there are still people in Ontario who are hungry and homeless.

Over time, the government has responded to changing needs by developing new programs and benefits; however, the two major pieces of income maintenance legislation have remained largely unchanged for two decades. Those statutes were designed for a different age—a time of much lower unemployment and a time when most women stayed home, the great majority of families had two parents, and fathers were typically the sole wage earners in the family. For many, that is not the reality of life in Ontario in 1986. As a result, I am convinced our system of social assistance needs a thorough overhaul.

One of the main purposes of the review I am announcing today will be to examine the overall direction of social assistance in Ontario. The committee members have been asked to provide a wide-ranging set of objectives to guide us in changing these programs to meet the needs of the

future. That will include an analysis of evolving client characteristics and needs as well as changing delivery modes and technologies.

In addition, the committee members have been asked to examine some specific questions, such as: Is there sufficient direct support being provided to those already on assistance? Is support available to all who should receive it? Is assistance being provided in a fair and efficient manner? What role are emergency services such as food banks and hostels playing and what role should they be playing?

I am pleased to announce that former family court judge George Thomson has agreed to serve as chairman of this committee. For several years, Mr. Thomson was an assistant deputy minister of Community and Social Services. He is currently director of education at the Law Society of Upper Canada.

There are 11 other members of the committee. Each of them brings a special perspective to the problems we face in the field of social assistance.

Those members are the Reverend Owen Burey, president of the Chatham-Kent Multicultural Council and president of the Council of Jamaicans in Ontario; Joanne Campbell, a Metropolitan Toronto councillor and a member of the Metro community services and housing committee; Jacques Côté, chief administrative officer of the town of Hearst; Phil Johnston, commissioner of social services for the regional municipality of Waterloo and a past president of the Ontario Municipal Social Services Association; Dr. Clarke MacDonald, former moderator of the United Church of Canada and director of the Office of Church in Society; Wally McKay, executive director of Tikinagan Child and Family Services, based in Sioux Lookout, and past regional Ontario chief;

Terry Meagher, former secretary-treasurer of the Ontario Federation of Labour and secretary of the Canadian Civil Liberties Association; Diane Mountain, a single parent from Kitchener and an associate member of Mothers Making Change, a self-help group for recipients of social assistance; John Southern, vice-president of the Blind Organization of Ontario with Self-help Tactics and himself a past recipient of social assistance; Fern Stimpson, corporate human resource officer for the Manufacturers' Life Insurance Co., and Ruth Wildgen, an alderman from the city of Ottawa and a single parent, who has a special interest in the needs, especially the housing needs, of Ontario's low-income residents.

I have directed the committee to solicit views from all relevant parties, especially those who

are directly affected by these programs. To ensure we get a wide range of input, my ministry has prepared a guide that provides complete details of the public review.

The work of the committee will begin immediately, and I expect its report by the spring of 1987. I am confident that this process will lead to meaningful legislative change, which will provide us with the tools to better assist those we have the obligation and privilege of serving.

Mr. Cousens: As the province looks on, we are seeing changes in Ontario. We see the Urban Transportation Development Corp. being sold. We see the Pitman report on education. We see changes in the beer stores. As we now see changes being made in the whole social field, we want to make sure they are for the better. I look to T. C. Haliburton, who in 1840 in Sam Slick said, "Changing one thing for another is not always reform." As we look at the social assistance programs in Ontario, we are looking for changes that will mean something and will help the recipients who are in need of social services.

I ask for three things in the social assistance review report that the minister is calling for today. The first is that the time taken by this analysis is not an excuse for delaying the funding of key programs and key projects that must be continued, where the people who are asking for special needs will receive that assistance.

I would not want this to be a time to say, "Now we can stand pat, we can"—

Interjections.

Mr. Cousens: Mr. Speaker, I wish you would do something to control these animals on my left. You bring the House to order when we are talking, and this is constant.

Let this not be an excuse for delaying the important projects that have to be maintained and continued to be helped by the province.

Second, I question the whole layout of this program. There has not been a review of the bureaucratic duplication that takes place. Certain projects are provincially funded and municipally funded. Where there is duplication, I would like to see added to this whole project the conservative principle of trying to save money where one can.

Finally, in listing the people who are going to take part in this very important review, all of whom are worthy in their qualifications, why are some business elements not included? Very often, in the process of developing programs, one key partner of that process will be omitted. Why do we not have a more business-oriented person in there? I know there is one person who is

an analyst in social policy in a large insurance company, but can there not be more from the business perspective? I think we need the business point of view in running government. I would very much like to see that, even in the social assistance field.

Mr. Speaker, I think an offence is being done in this House when the people on my left are becoming so ignorant they do not have time to sit and listen.

Interjections.

Mr. Speaker: Order.

Mr. McClellan: Now that we have heard from the Canadian Manufacturers' Association, I want to—

Hon. Mr. Nixon: Does the member want to make it better or worse?

Mr. Speaker: Order.

Mr. Cousens: Mr. Speaker, I want to apologize for saying that of the honourable members on my left.

Mr. McClellan: The member is upset. I apologize.

I want to respond and welcome the statement made today by the Minister of Community and Social Services. I should tell my Tory friend he did not announce any changes, in case my friend thought he had. He announced a study and a review, and there is a difference. However, I welcome this review, because I believe it is the first time since 1965, when the Canada assistance plan was introduced, that there has been a serious, systematic and, I hope, consequential review of our social assistance legislation.

There was an aborted attempt in the 1970s when Mr. Lalonde attempted to initiate an income security review with his orange paper, but the minister knows, as do all the members of the House, that review simply petered out in a morass of federal-provincial jurisdictional conflicts and disputes. I hope very much that same dismal process will not be repeated in this study before us because, as I have said, many of the problems that confront social assistance recipients result from the fact that when the Canada assistance plan was initiated in 1965, there was no real adjustment of the income security base for the various programs we have had with us for the past 20 years.

Income security has never been based on any objective measurement of what it costs to provide a decent or adequate standard of living. That is as true in 1986 as it was in 1966, 1946 and 1926. In the course of this study, the minister has a responsibility to address himself to the scandal-

ous reality that if one lives on social assistance in this province in 1986, one is condemned to live a life below any decent standard of living, a life of poverty, humiliation and deprivation. That is the reality for many hundreds of thousands of people.

I hope the minister will attempt to equalize the discrepancies among various groups of people, some of whom are identified as good guys—the disabled and the elderly—and others who are identified as bad guys—single, unemployed people and sole-support parents. These kinds of discrepancies have no place in the 1980s, the 1990s and beyond.

We hope this study will be crowned with success and legislation will flow out of it that will provide a decent standard of living to those who must turn to social assistance for support.

Finally, we commend the minister on the very excellent team that has been assembled, under the leadership of George Thomson. Many of us have worked with him and admire his work a great deal. The other members of the team are equally impressive. On the basis of the array of talent that has been put together to conduct this review, we hold out a fair degree of optimism that its work will be successful. We hope the government will have the will and the courage to follow through on the recommendations that are produced.

IMMIGRANT INVESTORS

Hon. Mr. O'Neil: I would like to take this opportunity to discuss Ontario's position relative to the changes in the business immigrant program recently announced by the federal government.

Ontario has had an immigrant entrepreneur program since 1976. In its first decade, this joint Ontario-federal program has seen 3,751 immigrant entrepreneur applications approved. For the 1985-85 fiscal year alone, the program brought Ontario at least \$82 million in investment and the creation or maintenance of 3,396 jobs.

In November 1985, the federal Minister of State for Immigration announced an expansion to the business immigration program that both increased the target quotas for 1986 and introduced a new investor category of "immigrant" to the existing "self-employed" and "entrepreneur" categories. The admission criteria for the "investor" category removed the requirement that the individual be actively involved in the day-to-day management of the subject enterprise.

Over the past several months, Ontario has consulted extensively with the federal and all

other provincial governments as well as the legal and private-sector bodies. Today I am prepared to announce that this government will support applications under the new business immigrant "investor" category.

Ontario has traditionally felt that the most appropriate business immigrants are those who have personally owned, managed or operated successful businesses overseas and wish to do the same in this province. We believe there can also be significant benefit to our economy through the participation of investor immigrants.

The federal criteria for this new category require that the applicant has personally accumulated a net worth of at least \$500,000 and is willing to invest a minimum of \$250,000 into an eligible Canadian business for at least a three-year period. Ontario accepts these parameters, but will also require that such investment be by way of equity or subordinated shareholder's loan, and that the investment be made by the applicant directly into the project or company and not through a third party or holding company.

We will also continue to apply our traditional criteria to all applications by business immigrants. The venture must offer visible benefit to Ontario; there must be sufficient capital to establish viably the enterprise; evidence of the applicant's business expertise is required, and a specific estimate of the number of Ontario jobs to be created is needed.

2:20 p.m.

My ministry will conduct a review of our participation in the investor immigrant program after the first 12 months, to evaluate its success and eligibility guidelines.

We believe the new "investor" category can be of special value to smaller business enterprises and other community-driven projects and will contribute even further to the success story of our immigrant entrepreneur program.

Mr. Brandt: In response to the Minister of Industry, Trade and Technology, with respect to the immigrant entrepreneur program, the statement the minister made today is rather cautious. The immigrant entrepreneur program is an excellent program that can provide a great number of jobs and new development in our province.

I suggest that the very small step the minister is taking, with respect to making it possible for investors simply to invest in a business without being actively involved, does not take the issue far enough. In my view, this program, which created more than 3,000 jobs last year and close

to \$80 million in investment capital in our province, is one that could be used to satisfy some of the questions raised by our friends from the north. If the immigrant entrepreneurs were directed towards specific, one-industry communities, or if there were some sort of emphasis put on the need for them to go to those communities, I believe jobs could be created in areas where it is very difficult to create them at present.

Although it was a fine statement, frankly, I do not think it goes far enough. It does not say enough about how we are going to do some of the things that are needed to be done in eastern Ontario, in northern Ontario and in some of the high unemployment areas of southwestern Ontario. I suggest the minister look very closely at using this program as a vehicle for development, not only in the major metropolitan centres, but in centres where these immigrant entrepreneurs can establish a sound foundation for new development, new growth and new jobs and move in the direction of satisfying some of those needs in our province as well.

Mr. Rae: I want to comment briefly on the statement made today by the Minister of Industry, Trade and Technology. After a weekend in which we have celebrated the 100th anniversary of the Statute of Liberty, whose motto is, as I am sure everyone will know, "Give us your huddled masses yearning to breathe free," it is hard to resist commenting on a statement by the minister which says, "Give us your applicants with a personal net worth of at least \$500,000 who are willing to invest a minimum of \$250,000."

I say this not facetiously but very seriously to the minister: There are a great many people in this hall today who would not be here if the federal government of the day had applied such criteria to applicants seeking to come to this country.

I am troubled by the focus of the federal government's immigration efforts on people with so-called higher education and larger assets. I am surprised this government has not been more vocal in stating its concern about the fairness of the new approach to immigration. I am deeply disappointed, as I think many people will be, that the only statement we have had on immigration from this government deals with the approval of the so-called investor category.

There are a great many problems facing those who are seeking to come to this country, and this statement does not deal with those problems.

2:30 p.m.

ORAL QUESTIONS

WORKERS' COMPENSATION BOARD

Mr. Grossman: I have a question for the Premier that relates to a number of people, specifically women and injured workers, who today are much worse off in the health care system than they were several months ago.

I want to ask about the Workers' Compensation Board problem. The Premier no doubt will be aware that doctors are currently refusing to see and make reports on behalf of injured workers so their claims may be processed and adequately and fairly dealt with. This is a direct result of two things: (1) the ministry's refusal to renegotiate the contract that expired last April 1 and (2) the interpretation put on Bill 94. Can the Premier tell the injured workers of this province what he intends to do on their behalf to sort out this problem, which his government created?

Hon. Mr. Peterson: The Minister of Labour (Mr. Wrye) can bring the member up to date on that situation.

Hon. Mr. Wrye: The member has raised a matter that is of concern to us because we want to ensure that injured workers continue to get their claims approved as quickly as possible and remain on the rolls of the WCB for the appropriate time. I know a concern has been raised by the Ontario Medical Association. The government is very anxious that there be no interruption of service between the physicians and the WCB.

Essentially, there is no problem at all in terms of the rates of remuneration. We have taken a fairly careful look at this. We have obtained a number of legal opinions from within and from outside government. They are unanimous that the wording of the Workers' Compensation Act allows the payments to continue at the rate at which they are being paid now; if my memory serves me correctly, that is about 98.5 per cent of the OMA rate.

The member is correct as well when he says the present agreement between the board and the OMA ran out at the end of March 1986. There have been some preliminary discussions between the parties because of a number of other matters that have been going on in the past few months. The discussions have not been substantive, but I understand the board will be approaching the OMA to see whether those discussions can resume shortly.

Mr. Grossman: Bill 94 was passed several weeks ago. The minister and his government knew Bill 94 was about to be passed, and since

April 1 nothing has been done to renegotiate the contract.

As recently as this morning, we were informed that Dr. Elgie had told those attending a meeting to try to resolve this that the advice he had been given was that Bill 94 did prevent and prohibit the expenditure the minister is talking about. With all this advance notice, how can the minister have arrived at a circumstance where today he is standing here and giving one story when the injured workers and the chairman of the Workers' Compensation Board are under exactly the opposite impression? What is going on?

Hon. Mr. Wrye: With respect, I do not believe the chairman of the WCB is of that point of view at all. I had some discussions with Dr. Elgie this morning. We carefully reviewed the opinions we have received as to the impact of Bill 94 as they pertain to subsection 52(7) of the Workers' Compensation Act.

If one looks at it, it is clear from the legislation that the Ontario health insurance plan schedule, which is dealt with in the very narrow sense of Bill 94, applies for payments for treatment under the Health Insurance Act. I am sure the honourable member knows that WCB services are expressly excluded as insured services. Consequently, in a sense, Bill 94 simply upholds that exclusion. We believe the payments that have been made up until now and that will continue to be made biweekly are quite right and proper. Of course, they are subject to adjustment as soon as the parties can sit down and negotiate an adjustment to those services.

Mr. Grossman: I am not going to argue with the minister the interpretation of Bill 94, which, to put it at its mildest, is obviously open to much division of opinion with regard to the impact, so that the injured workers and others now face a lot of confusion which still surrounds this issue two weeks or 10 days after the bill was passed.

My question would be more appropriately addressed to the Premier, who refers these questions elsewhere. Whichever interpretation is right—and we believe he has a large problem facing him—the fact is that his ministry refused to renegotiate the schedule on April 1. If the minister believes Bill 94 had no bearing whatsoever on the WCB payments, can he explain to this House why he, the Premier and the Minister of Health (Mr. Elston) did nothing whatsoever from April 1 on to renegotiate that schedule?

Hon. Mr. Wrye: The honourable Leader of the Opposition may have forgotten the small fact that it is not the Premier, the Minister of Health or the Minister of Labour who negotiates with the

OMA; it is the WCB's board of directors. There have been discussions between the parties, and the OMA has indicated the kind of adjustment to the fee schedule it is seeking.

Mr. Grossman: Did the minister give them any direction?

Mr. Speaker: Order.

Hon. Mr. Wrye: If this government were to give direction of any kind in these matters, it certainly would not be to direct the kind of very sloppily worded agreement, which has just expired, on which the previous government helped give direction.

Mr. Grossman: Everything in this government is someone else's problem.

Mr. Speaker: Order.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have a question for the Premier. I have some information I would like to share with the Premier today, and I have it written out so he will have an opportunity to peruse it.

The Premier has asked whether the former Minister of Northern Development and Mines benefited in some fashion from his ownership of Golden Tiger, the mining development company we have been discussing in this House for a matter of the past week or so.

The information I have provided the Premier with today indicates that the shares of Golden Tiger were trading in July 1985, immediately following the former minister's appointment to cabinet, at approximately 40 cents per share. It further indicates that no move was made to divest any of those shares from the then minister's ownership in escrow or by way of a blind trust he had set up. A divestiture of those shares could have taken place prior to the end of the year, but no such divestiture occurred.

Mr. Speaker: Question, please.

Mr. Brandt: I will be getting to the question very quickly.

It is interesting to note that the shares hit an all-time high towards the end of December 1985, when the then minister decided to sell those shares at double the amount of money they were trading at in July 1985. Will the Premier now admit there is a way in which the former minister could have derived some benefit from the appreciation of those shares?

2:40 p.m.

Hon. Mr. Peterson: I do not think there was ever any question that we have established already in this House that shares can go up, down

or stay the same. Whether there is any direct action the minister took that influenced the outcome of these shares, I have no idea.

The honourable member has presented me with four pages of information; he may have something I am not aware of. These are very appropriate matters to bring up in the committee. I know the member will want to do that to try to establish whether some untoward influence was exercised.

Mr. Brandt: Can the Premier indicate how it is possible, after various cabinet ministers have indicated the very severe screening process he put them through, that these shares could remain in the hands of one minister, be retained under ownership for that period and be sold only when they reached the peak level of the stock market?

Hon. Mr. Peterson: I am not sure what was paid for the shares or the chronology of their value. The member has brought some information to bear today. Frankly, I have no explanation one way or the other for the things he is alleging here, but these facts have to come out. Obviously, the member has a point to make; presumably, it is that the former minister received some benefit for it. The member should take that information to the committee and put forward his proposition or charge in the appropriate place.

Mr. Gillies: First the Premier says he did not own the shares, then that he cannot control them, and then that he will not benefit from them.

Mr. Speaker: Order.

Mr. Brandt: We fully intend to bring these matters before the committee, but why has the Premier, in advance of the committee hearings, already cast a shadow of doubt on their validity by indicating it does not matter one whit what comes out of those hearings, he intends to reappoint this man to the cabinet irrespective of what information, what evidence, what truth comes out in those hearings? How can the Premier possibly take that position?

Hon. Mr. Peterson: I do not think I took that position. As the member knows, a number of allegations have been made. We were discussing in this House the point of the escrowed shares, and I acknowledged in this House and in other places that there is clearly a technical violation. There is an explanation.

Interjections.

Hon. Mr. Peterson: It is interesting that the member for York Centre (Mr. Cousens) was castigating the third party for making noise when he was speaking. He may want to speak to his own colleagues and use some of the same

adjectives. I am trying to give the honourable member an explanation for this.

I said at that time I acknowledged a technical violation in that respect. It was a grey area. On the basis of the facts as I knew them, I laid forward my view of the situation. If the member has other information—and every day he is trying to make new charges in the House, which is his right to do—I recommend he take all this information to the committee and try to establish his point that the minister benefited from his position. The member may have evidence of that. He may have new facts that will come to bear on the situation, and I will have to govern myself accordingly.

Mr. Rae: I have a question for the Premier on this subject. With due respect to my colleague Gumshoe Brandt, the information being provided to the House would hardly be difficult for a process of cross-examination and fairly persistent review of public sources to disclose.

Can the Premier explain why he continues to come into the House from day to day and be surprised by the presentation of information that would have been clearly available to him on the basis of the cross-examination he has publicly stated on a number of occasions his cabinet had to go through? No stone was left unturned, according to the Kingston Whig-Standard.

According to all the sources, the Premier has stated very clearly how tough the process was. How can he explain his failure to gather very basic information, which is publicly available, with respect to the disposal of assets by a cabinet minister?

Hon. Mr. Peterson: Obviously, the honourable member points to either my inadequacy or an inadequacy of the system, and I acknowledge that now. Perhaps if we had tighter cross-examination of the members and a more extensive and rigorous situation, reminding them of some things that might have slipped their memory at that point, we might have avoided these situations. The amount of money is not significant in any of these cases. Obviously no one joining the executive council wants to walk into such a situation overtly.

The honourable member points out some flaws in the system, for which I have to take some responsibility. I wish we had done better a year ago. I hope that with our study of this situation, through Mr. Aird and others, we will have an opportunity to develop a system so this never happens again. I do not think any minister in his or her mind was attempting in any way to beat the system, but somehow or other it appears

mistakes were made. It would have been in everyone's interest to have had this cleared up a year ago. I hope we can develop a system so this will never happen again.

Mr. Rae: Given the number of mistakes, it is hard to understand why the Premier was boasting last week that regardless of what happens after August 14, René Fontaine will be back in the cabinet. That is a statement that is hard for us to accept.

If it can be established that Mr. Fontaine told Paul Martin, president of Golden Tiger, that he was personally reluctant to sell the shares—Mr. Martin has stated to a reporter that he had to convince Mr. Fontaine the shares should be sold—and if it can be demonstrated that the value of the shares went up precisely because Mr. Fontaine delayed selling them, will the Premier still persist in saying Mr. Fontaine should be automatically reappointed on August 15?

Hon. Mr. Peterson: The answer to the member is no, if there are new facts in the circumstances. With the facts as I ascertained them to be a week or so ago on the basis of the escrowed shares, I acknowledged there was a technical mistake, as I saw it, but one that in my judgement, and the member can disagree with this, should not send him out of the cabinet for ever.

If the member and others have presented new information subsequent to that, it is obvious I have to take all that information under advisement when I make any decisions I have to make. Old Gumshoe over there may want to present more information. Obviously, they are expending the full extent of the intellectual energy of the Conservative Party in trying to determine these things, and they have every right to present this information today.

Mr. Rae: Another comment Mr. Fontaine has made on more than one occasion, and he made this statement soon after his appointment to the cabinet, is that in his judgement the conflict-of-interest guidelines were, as he put it, "too strict, too tight, too tough." It has never been clear to me from the Premier's statement whether, as a result of Mr. Aird's survey, he wants to see guidelines or a law—I am not sure which is his preference—that would be tighter or looser. Can the Premier tell us whether he wants to see guidelines and laws that are stricter, tougher and more clearly enforceable or whether he wants to see something that is much looser and will allow the kind of thing that has gone on to persist?

Hon. Mr. Peterson: I want to see them clearer. Personally, and again I am seeking

independent advice on this matter, I would like to see an independent authority to advise and adjudicate on these matters, to do the kind of cross-examination the member was talking about. I think all of us in public life pay a price. That is one of the realities, and it is a price well worth paying for public service.

We have to look at our own situation. We may want to look at the executive council, spouses, children and families. I notice in the newspaper today that some of the members opposite, such as Old Gumshoe, think all members of this House should be involved in disclosure of some type of other; all these things should be included. First, we need certainty, as the member and anyone who has read those conflict-of-interest guidelines will know. Again, I take responsibility for not having brought more precision to this whole matter. We want precision and independent adjudication that we can all agree is what the party leaders and all members of this House want. Ontario should be in the forefront.

With respect to the third point as to whether it should be in law, I would be happy to see it in law and not just a vague set of conflict-of-interest guidelines with no ongoing monitoring and no enforcement. I would be happy to see it as the law of the land. That would make everybody's life easier and is something I hope we do.

Mr. Rae: One of the things we would like to see is certainty of enforcement. That is not a problem with the guidelines; that is a problem of political will.

2:50 p.m.

NORTHERN DEVELOPMENT

Mr. Rae: I would like to ask the Premier another question. It is our understanding that the Premier will be in Sault Ste. Marie tomorrow with a number of his colleagues. The Premier will know that a 2.8 per cent layoff of the Sault work force is the equivalent of 51,500 jobs being lost in Toronto. It is difficult to convey to the magnitude of people in southern Ontario the crisis that is facing the north.

Can the Premier give us an assurance that in whatever he says tomorrow, it will include at least a transfer of capital resources to the north and, in particular, the establishment of a northern Ontario fund, which would inject capital on a regular basis, drawing funds from those companies that have historically made so much money from the north? Will we finally get some assurance that those funds will be reinvested in northern Ontario?

Hon. Mr. Peterson: The honourable member will be aware that the doubling of the northern development fund has already been announced, although the member may not think it is adequate.

There is no issue that has been more troubling to this government than the problems we are all aware of in northern Ontario. I repeat that some extremely fine work was done with constructive ideas through a number of the colleagues here in the House. We value that advice.

As has been a matter of public record for some time, we will be in Sault Ste. Marie tomorrow to discuss some approaches to solving the problem as well as some specifics. I do not want to mislead my friend and have him think I go with a magic wand with all the answers to the problems, because I do not have them. There are enormous problems in the steel industry and in the timber industry. There are a number of specific hot spots, as he knows. We are very concerned about the ongoing viability of the north.

We take two approaches to the situation. First, if we do not address the structural problems and the competitive problems, it is impossible to subsidize the situation for ever and ever. Second, we need a number of short-term responses that will address some of the specific problems. They have to go hand in hand. That is the approach we take.

We have gleaned a lot of wisdom from Mr. Rosehart. We will be moving on some of his ideas with members of this House, and others will be followed up in the future. Again, I do not want to mislead my honourable friend into thinking I have all the solutions, but we have some approaches that will be significant in the long term.

Mr. Rae: Can the Premier tell us whether he has accepted the argument of the Rosehart report that at least there should be a health care facility in northern Ontario, in particular a medical school to ensure we will start reinvesting our human resources as well as our capital resources in northern Ontario, like many other jurisdictions in the world with which we share a significant north? Can he tell us whether that will be part of his announcement tomorrow?

Hon. Mr. Peterson: The point the honourable member makes about making sure we have opportunities and invest in human resources in northern Ontario is significant. I know the member will forgive me if I do not tell him today what we will be announcing tomorrow. He would not want me to give him advance notice of this type of situation.

Interjections.

Hon. Mr. Peterson: He would? I am surprised he would want me to do that.

As I say, we are announcing a number of approaches and there will be more forthcoming.

May I say in follow-up that this is one area where there has been remarkable co-operation among the members of this House. I think we all see it the same way, and specific work done by a number of members deserves the credit of all of us in this House.

Mr. Rae: Since the Premier said there will be an announcement tomorrow that will deal with the short term as well as the long term, can he at least give us the assurance that the government has recognized that the same private sector, in particular the multinational, big-business private sector, which historically has gleaned such a profitable history of exploiting the resources of the north, at least will be required to reinvest resources today in northern Ontario?

Can he at least give us the assurance that Sault Ste. Marie, Ear Falls, Wawa and those other communities that are being affected by layoffs and closures will be compensated by means of community adjustment funds which will be reinvested in those communities? Can he give us the assurance that we will see a transfer of capital back to the north, controlled by the north, to stop this pattern of exploiting and running, which has hurt the northern economy so terribly over the past number of years?

Hon. Mr. Peterson: Without debating the methodology, there are a number of those approaches inherent in our approach and a number of those ideas. We will be diverting funds that one can argue have historically been taken from the north and invested in the south; a much higher proportion than has ever been spent in the north will be spent back there.

We could get into a historical argument about who took from whom in the past, but there is one difference between this government's approach and my honourable friend's approach. We are not looking for enemies, and we are not looking to pillory or to blame people for this problem, whether it be individuals, unions, industry or multinationals. What we are looking for is a new, co-operative approach to the problems. We are all in this thing together; every one of us in this House, everyone in northern Ontario and everyone in this great province.

That is the approach we are going to be taking, and I think the member will find it is somewhat satisfactory, although I am sure he will argue tomorrow that it is not enough. No matter what I

said, he would argue it was not enough, and that is fair enough, but I think he can be assured of our goodwill and good faith to solve these problems together in the long term, not just in the short term.

Mr. Pope: The doctors would like to hear that.

ALLEGED CONFLICT OF INTEREST

Mr. Pope: I have a question for the Premier based on testimony before the standing committee on public accounts last Wednesday evening. During that session, Mary Eberts testified that in June 1985, information was gathered from all cabinet ministers or potential cabinet ministers with respect to their holdings and interests in private and public corporations.

Can the Premier table that information today with respect to the former Minister of Northern Development and Mines?

Hon. Mr. Peterson: I am not sure I am following the honourable member's question. I understand that has been tabled with all its flaws in it.

Mr. Pope: I will repeat the question to the Premier.

Last Wednesday, Mary Eberts testified she had obtained information in written form with respect to the holdings in public and private corporations of all ministers or prospective cabinet ministers, and the following day she indicated that the only copy was now lodged in the Premier's office.

Can the Premier table today those documents, not the declarations given through Blenus Wright but the declarations and information the Premier had in his hands on June 26? Since he has that information in his office, can he table it with the House today with respect to the former Minister of Northern Development and Mines?

Hon. Mr. Peterson: As far as I know, all the appropriate and relevant information has been filed as required under the law. If there are mistakes in that or if the member has extra information, he should ask those questions of the appropriate people in the circumstances. As far as I know, it has all been filed.

RENTAL HOUSING PROTECTION LEGISLATION

Mr. Reville: I have a question for the Minister of Housing. There has been a lot of righteous talk from this government about its interest in protecting affordable rental housing. There is mounting evidence, day by day, that the government has failed abysmally to provide that protection. What has the minister to say to Mrs.

Marjorie Chapman, aged 86, who was told by the courts this Friday that she would have to leave her lifelong home?

Hon. Mr. Curling: It is very unfortunate when we have tenants who are losing their homes. I sympathize very much with their situation. On the other hand, the honourable member knows full well the action we have taken as a government to introduce Bill 11 and to have it enacted to protect tenants who are faced with evictions caused by extensive renovation and by demolition. We are very concerned about that, and that is why Bill 11 is here. We hoped both opposition parties would move swiftly to debate Bill 11, but the approach they have taken is that there seems to be delay still and tenants may be facing these situations.

3 p.m.

Mr. Reville: That will not do. It is the government's responsibility to organize the agenda, and this government has sentenced thousands of tenants to a long, hot summer in a cold sweat.

There is an alternative. Given that the minister has repeatedly said it was his government's intention that Bill 11 would be in force by now, will he abandon his stubborn refusal to make the bill retroactive and commit his government clearly and unequivocally to making Bill 11 retroactive to protect tenants who are even now losing their homes?

Hon. Mr. Curling: The debate on the doctors' bill took a considerable amount of time and patience. Bill 11 came to the House on May 2. We hoped Bill 94 on extra billing would proceed quickly so we would have Bill 11 here. I am prepared to stay in this House as long as possible to have Bill 11 enacted, so we can protect all tenants who are faced with eviction from their homes.

INSURANCE RATES

Mr. Reycraft: My question is to the Minister of Agriculture and Food and relates to a matter that was raised earlier this afternoon during members' statements by the member for Durham-York (Mr. Stevenson). It results from a telephone call I received this morning from Reeve Jack Moir of London-Middlesex.

Reeve Moir informed me that Law Insurance Brokers, a firm that has provided liability insurance coverage for many of the small rural fairs in this province, has advised the Ilderton Agricultural Society that it will be unable to renew the society's insurance policy, which expires on August 1. Can the minister inform us

what steps his ministry is taking in addressing the insurance problems that face fair boards across this province?

Hon. Mr. Riddell: Since this problem first surfaced, I am pleased to report the staff of the rural organizations and services branch of my ministry have been working closely with the fair boards and the insurance companies. The insurance companies, acting on behalf of the fair boards, made application to the liability insurance pool. It is my understanding that the pool has definitely indicated it will give liability coverage to all the fair boards that require it.

I want to take this opportunity to thank the Minister of Financial Institutions (Mr. Kwinter) for the assistance he has rendered in this regard.

Mr. Reyecraft: I am delighted to hear fair boards will be able to receive liability insurance, as I hope the member for Simcoe Centre (Mr. Rowe), who indicated his lack of concern about the small rural fairs in this province, is as well. However, I am concerned about the affordability of this liability insurance. I wonder if the minister can tell us what the agricultural societies may expect to have to pay for insurance this summer.

Hon. Mr. Riddell: The liability insurance pool has divided the fairs into three classes: large, medium and small. I am pleased to say coverage will be given to them at a most reasonable premium. They will receive \$1 million in liability insurance for a premium that ranges between \$500 and \$1,000, and the fair boards will be notified—I think within this week—what their coverage will cost.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have some information I want to pass on to the Premier, if I can get a page.

Mr. Speaker: By way of question?

Mr. Brandt: By way of question to the Premier, last Thursday I raised with the Premier the issue of an article that appeared in the Kapuskasing Northern Times. He indicated he was not a regular reader of the Northern Times; so I have provided him with a copy at no charge.

That newspaper article indicates that the former Minister of Northern Development and Mines was quoted as saying his resignation would take place if Hearst did not receive a forest management agreement. Close to a week, or at least a number of days have passed since I raised this question. Has the Premier talked to the minister—

An hon. member: Former minister.

Mr. Brandt: —the former Minister of Northern Development and Mines and confirmed whether he resigned because of not receiving the FMA, or did he resign out of honour, as the Premier stated in this House?

Hon. Mr. Peterson: To the best of my knowledge, he clearly resigned because of the charges made in this House with respect to Golden Tiger.

Mr. Brandt: The question specifically was, did the Premier talk to Mr. Fontaine about this matter? In addressing that first question, can the Premier also respond to the question as to the present status of the FMA for the Hearst area? I do not want to know the confidential details of the cabinet discussion, but whether or not that matter has been dealt with, whether any decision will be forthcoming and, if so, when?

Hon. Mr. Peterson: I did speak to him on Friday last. It was my clear impression, as I told the honourable member, that he resigned because of the charges made in this House on the mining shares. That is the answer to the member's first question.

The second answer, with respect to the FMA, is the following: That FMA has been discussed in the Hearst area for some two, three or four years. The former Minister of Natural Resources would know that. I gather it is a joint FMA. Several companies are involved and the concern involves the entire region.

We also know, and this House will be aware, of the controversy that surrounded the former minister in the last while. Suggestions were made here in the House and elsewhere. Whatever decision the cabinet made on that matter would be suspect. The member, with his new research arm, would be the first to suspect that something untoward was being done in this matter. It is not a secret that the former minister has an interest in United Sawmill, which is under a blind trust, but that still would not prevent a suspicious mind like the member's own—

Mr. Brandt: Or many others besides.

Hon. Mr. Peterson: —or that of many others from suggesting that something was untoward. I know he will want to talk to the former Minister of Natural Resources, who may have a different view of the situation. That is why, because of the unique atmosphere that has applied to this, it is the view of the government that we should have completely independent advice on this matter. That is the course the government will take.

EXTENDICARE LONDON NURSING HOME

Mr. D. S. Cooke: I have a question for the Minister of Health, who will have had an

opportunity by now to review the recommendations of the coroner's inquest into the 19 deaths at the Extendicare London Nursing Home. I would like to know if, after reviewing the procedures and the recommendations, the minister is satisfied, with all of the conflicting information, whether doctors informed the Minister of Health, whether the staff doctor informed the local medical officer of health, whether the minister is satisfied that this issue has been sufficiently dealt with and whether he is prepared to recommend a public inquiry into this matter?

Hon. Mr. Elston: As the honourable gentleman indicates, I have reviewed the initial release of information and the recommendations from the jury. As he knows, the final form of the official results of the coroner's inquest has not yet been brought to my ministry's attention. We are making inquiries to find out exactly when the final-form recommendations will be delivered to us.

One of the items that constantly came out in the proceedings, which I watched with great interest and in which my ministry was active, was that there were communication difficulties that led to confusion. In the interim, some of the steps we have taken with respect to reporting have helped already to address some of those deficiencies in communication. At this stage, I have not looked at putting together a public inquiry with respect to a follow-up of the coroner's inquest.

Mr. D. S. Cooke: It is not just a matter of confusion or lack of communication. It is that the facts are not entirely clear in this case either. Is the minister aware that in one of the conflicting pieces of testimony, Dr. Michael Hickey, who is the consulting physician to Extendicare London, reported that he did not even know an outbreak had taken place several days after the outbreak had started and that he learned about it by making his rounds in one of the local hospitals?

3:10 p.m.

At the same time, the director of nursing reported that she had told the doctor that the medical officer of health said there was no use in reporting this matter to the Ministry of Health because in past cases it did not care. Does the minister not understand that if this tragedy had involved any other group of people in our society, there would have been a more substantial response from the Legislature and from the Minister of Health? Should we not now be setting up a public inquiry to determine what caused this, what the circumstances were and who was responsible?

Hon. Mr. Elston: As I told the honourable gentleman before, I have not determined that a public inquiry would assist us to any large degree. We have not yet got the final text of the coroner's inquest report.

However, the concerns raised about the communications were well reported and well documented. They had caused me concern even at the time of the inquest, or at least of the deaths and incidents that occurred. We took steps right away to ensure that one of the first places that the reports were made was to the nursing homes and the public health branches of the Ministry of Health, so that our chief medical officer of health could respond at the initial phases of these events.

We have made sure that has occurred. It now is working well in events that have transpired since the Extendicare problem. Those difficulties have resulted in our tightening up our communications and tightening up the way in which the Ministry of Health works with local medical officers of health and other people who are required to respond first to these events.

I can tell the honourable gentleman again that I have not determined that a public inquiry at this stage would assist us in unravelling any further the information which seems to have caused concern about who was communicating what to whom. However, I think our new communication directives have assisted.

PRISON FACILITIES

Mr. Callahan: I am not certain that this question should be directed to the Minister of Correctional Services (Mr. Keyes) or to the Attorney General (Mr. Scott). Perhaps I can start with the Minister of Correctional Services and, if he feels it appropriate, he can refer it to the Attorney General.

Over the last little while, we have witnessed reports of overcrowding in jails because of the introduction of the Young Offenders Act and its implications. I would like to ask the Minister of Correctional Services whether the diversion program that is available under the Young Offenders Act has been implemented on a pilot basis or if there is an intention of bringing it forward as an alternative to avoid the overcrowding of our jails.

Hon. Mr. Keyes: I am aware of one diversion program in particular that has worked quite effectively in my own riding of Kingston and the Islands. It is not paid for by the provincial government but rather by another organization

that is experimenting with alternatives to incarceration.

The issue is one which deserves fair merit and study by the government. I personally believe it will be an excellent way to help reduce some of the population in our penal institutions.

Mr. Callahan: Have any reports been done on any other province where this program has been introduced to determine whether it has had a significant impact on reducing the jail population?

Hon. Mr. Keyes: I am not aware of those studies, although they may very well have been done. I will attempt to find an answer to that through my ministry and report back, unless the Attorney General's office does happen to have that information. I will make it my responsibility to get an answer back.

ALLEGED CONFLICT OF INTEREST

Mr. Harris: I have a couple of points I would like to raise with the Premier. Can he inform the House of any discussions either he or his office has had with Mr. Fontaine regarding any special severance arrangements during this hiatus?

Hon. Mr. Peterson: The Treasurer (Mr. Nixon) tells me that apparently when one resigns there is half a year's pay coming, but the former member has declined that.

Hon. Mr. Nixon: Is that what the member means?

Mr. Harris: The question was whether the Premier has had any discussions. I gather he has not. Perhaps the Treasurer has.

Interjection.

Mr. Harris: The Treasurer has not? How come he coached the Premier and he gave his answer?

Mr. Wildman: Edgar Bergen.

Mr. Speaker: Does the member have a supplementary?

Mr. Harris: Certainly I do. I am trying to determine whether we have an answer to the question. Has he had any discussions? I gather he has not and I gather the Treasurer has not.

When the Premier indicated he did have discussions on—

Interjection.

Mr. Harris: Thank you. We are running short of funds to send these over.

The Premier did have discussions on Friday with the former minister. In those discussions on Friday, did the former minister deny saying, "I

had said that if Hearst did not get this FMA, I would resign"?

Hon. Mr. Peterson: That is right. That is not his recollection at all, but the member will want to ask him about this at the committee, I am sure.

Mr. Rae: I have a question to the Premier. There have been a number of articles published with respect to Mr. Fontaine, one of them by a reporter who taped a conversation with Mr. Martin, who is president of Golden Tiger. Mr. Martin is quoted as saying, referring to the shares: "I forced him to sell them. He did not want to." The reporter asked why. Mr. Martin responded: "He thought they would go up in price. I told him, 'René, you are a minister; you have to sell them.'"

Can the Premier find an explanation for the delay from July to December in the decision to sell the shares? Does he consider that delay to be another example of what he has called a "technical violation," when the guidelines state very clearly that all matters with respect to a blind trust are supposed to be resolved within a month of a minister assuming office?

Hon. Mr. Peterson: As I understand it, the filing is to be within six months after the original date.

I know of no reason this matter should not be investigated. The member has asked me some questions that I think need scrutiny—conversations with Mr. Martin and what they talked about. Anything the member wants to know should be asked about. I am not in a position to explain things one way or the other.

Mr. Rae: Will the Premier be willing to appear before the committee and advise the House precisely what the ballyhoo was all about with respect to conflict of interest when he assumed office, what kinds of information were made available and why something as fundamental as this was not resolved? Can the Premier not confirm that the guidelines are quite specific and refer to the fact that these matters with respect to a blind trust should be cleared up as soon as possible upon the assumption of office?

Hon. Mr. Peterson: I am happy to share whatever knowledge I have of the situation. As well as Mr. Wright, a lawyer was acting on the matter. They looked at a number of these complicated situations and gave their judgement on the matters. The member has every right to know what judgements I received. I did not personally cross-examine each minister of the crown. I turned it over to others to find out

whether there was any violation of the conflict-of-interest guidelines.

The member will be aware that a variety of them got advice from other people. He may not agree with the advice they got. That speaks to the essential vagueness of some of these guidelines. I am happy to share what information I have on this matter. This entire matter should be scrutinized, and the member can put his questions forward.

URBAN TRANSPORTATION DEVELOPMENT CORP.

Mr. Gregory: My question is for the Minister of Transportation and Communications. Queen's Park sources have been quoted as saying that the Urban Transportation Development Corp. sale will be finalized in the next two weeks. They have also said that substantial changes will be written into the final deal with Lavalin. Can the minister assure this House and the taxpayers of this province that they will see a return on their \$167-million investment in the once-prosperous corporation and that they will not be left holding only substantial liabilities because of a bad-business, fire-sale deal made in haste by the Liberal government?

3:20 p.m.

Hon. Mr. Fulton: It is very difficult to respond to an unattributed Queen's Park source. There is no fire sale. We are proceeding as quickly as we are able. It is a very complicated procedure, as the honourable member well knows. We are doing everything we can to retain Canadian content, jobs, research and development, and all of the principles we established some time ago.

Mr. Gregory: I appreciate the minister is confused. When I refer to "a reliable government source," that is a paradox right off the bat. The Liberal government has continually branded the UTDC as a white elephant. It has become increasingly obvious that through mismanagement and incompetence the Liberal government is making true on its accusations. The sale is past the point of salvaging. Will the minister assure us that he will negotiate a fair and reasonable price for this crown corporation and that he will not just give it away like a door prize at a school dance?

Hon. Mr. Fulton: Because the principals from Lavalin are still negotiating, it is hardly past the point of no return, as the member suggests. Of course, we are doing everything possible to get the taxpayers of Ontario a fair deal.

NUCLEAR SAFETY

Mr. Charlton: I have a question for the Minister of Energy. In 1978, the Porter royal commission called for a complete study of nuclear safety in Ontario that would be independent of Ontario Hydro, Atomic Energy of Canada Ltd. and the Atomic Energy Control Board. In 1980, the select committee on Ontario Hydro affairs, of which he was a member, called for the same kind of independent study. Last Thursday the select committee on energy, for a third time, called for an independent study of nuclear safety in Ontario by internationally recognized experts. Is the minister now prepared to commit himself to seeing that study done?

Hon. Mr. Kerrio: I am very pleased with the excellent report by the committee. As the honourable member has pointed out, that issue has been raised on more than one occasion. I have not made a decision yet, but I share with the member that this is one of the very important issues we will be dealing with in the next short while. I tend to feel that we will meet that commitment, but I have to have the rationale and do a bit of study before I can make a promise and share with the House the direction in which we can go and whether it should be done by another tribunal to assure the member and all the people of Ontario that we are concerned about nuclear safety.

Mr. Charlton: Can the minister give us an indication as to when he will respond to the report and to that specific recommendation? Can he assure us that the two opposition parties will be consulted about any independent study he decides to proceed with?

Hon. Mr. Kerrio: Yes. I will undertake that we will share with all members of this House the initiative we will take to confirm the recommendation by the committee.

VOCATIONAL REHABILITATION

Mr. Cousens: I have a question for the Minister of Community and Social Services. It arises from the estimates, July 3, 1986, when the deputy minister acknowledged there were severe problems with the waiting lists surrounding the vocational rehabilitation services for the handicapped. He stated the following: "Typically, we are looking at about 11 to 19 or 20 weeks. We go up to 50 weeks, which is not good enough. We are talking about almost half a year to a year for some people who are on the vocational rehabilitating scheme to receive assistance." Will he tell

this House what plans he has with respect to revising the VRS program?

Hon. Mr. Sweeney: As the honourable member will recall, there was a statement in the recent budget that additional funds had been allocated to my ministry for the physically disabled. That is part of the resources we will be applying to the situation he described. I remind the member, as he has already been reminded, that a number of people on the waiting list are simply waiting to get into another program. They have been served as far as they can be served by our vocational rehabilitation officers and are waiting to get into a program that has already been agreed on. It is not always a case of waiting to be seen, but rather of waiting to get into a program.

Mr. Cousens: We do not want to sidestep the issue. We know there are extenuating circumstances in some cases, and yet circumstances in others are leading people to a dead end when the service is not there for them to get direction and assistance from these government offices. Will the minister take this under personal consideration and promise to do something about it? The deputy needs his help.

Hon. Mr. Sweeney: There is no question about agreement between my deputy and me about where the shortcomings are. The member referred to one incident in the province where there was a very long waiting list. The deputy and I discussed that shortly after we discovered it, contacted our area office and asked that two VRS officers from the area office be transferred to that location to help cut down that waiting list. In another place in northern Ontario, we have hired two additional people for a similar situation. We are aware of it, we are working on it and there is no disagreement between us.

WORKERS' COMPENSATION BOARD

Mr. McClellan: I have a question of the Minister of Labour with respect to the practices of the Workers' Compensation Board at the Downsview rehabilitation centre. Is it customary for injured workers to be discharged from the centre with a medical diagnosis of "fit for regular work," when they have never been examined by a physician prior to the discharge? The reason for the discharge was that they were handing out copies of an article that was published in the Toronto Star.

Hon. Mr. Wrye: Obviously, the honourable member has a specific instance in mind. I would like to be made aware of that. I do not think any injured worker would be discharged as being fit

to return to regular work without being fully examined and without it being determined that he or she is fit to return to regular duty or to any modified or light duty.

Mr. McClellan: I find it difficult that the chairman of the board has not brought to the attention of the minister the case of two registered nurses, Ms. Fallis and Ms. Kelly, who on June 4, after complaining about the inadequacy of the rehabilitation program and having distributed copies of an article that had appeared in the Toronto Star, were told on June 5 by the cashier that they were going to be discharged. On the following day they were told by Dr. Paisley, one of the staff doctors at the centre, they were going to be discharged for the medical reason, as I understand it, that they were handing out an article that was published in the Toronto Star.

Will the minister report on this incident and advise the House what action he intends to take against physicians who give a medical diagnosis on the basis of a political criterion?

Hon. Mr. Wrye: I will be most pleased to take that question as notice and to get a report for the member and for the House as quickly as possible.

SALE OF BEER AND WINE

Mr. Jackson: I have a question for the Minister of Consumer and Commercial Relations. One of his election promises found its way into the speech from the throne. Specifically, I am referring to the promise to introduce beer and wine sales in corner stores. Will the minister advise the House of his current timetable for that legislation?

Hon. Mr. Kwinter: The decision on when legislation is introduced is in the hands of the House leaders. We will get to it when we can.

Mr. Jackson: On June 25, a community forum on this subject was held in the riding of Burlington South. We were unable to obtain a speaker from any section of the government. We tried the office of the Premier (Mr. Peterson) and we even tried the office of the member for Essex South (Mr. Mancini), but no one was willing to talk about this legislation.

Interjections.

Mr. Speaker: Order. The member has a supplementary.

Mr. Jackson: I am getting to it.

Mr. Speaker: Good.

Mr. Jackson: Since the minister is unwilling to come to Burlington to give his side of the story, the citizens of Burlington want him to watch and listen to a tape of the proceedings that

evening. I will send that over with one of the pages.

Mr. Speaker: Minister.

Mr. Jackson: My supplementary question—

Mr. Speaker: Order. The member asked the minister to watch the tape.

Mr. Jackson: I asked to give the tape to the minister.

Mr. Speaker: I misunderstood you. Place your question quickly.

3:30 p.m.

Mr. Jackson: If the minister is unwilling to come to Burlington or to talk in any public forum, will he now admit that he has given a sober second thought to this issue and agrees it is bad legislation and that he will withdraw any plans for introducing the bill?

Hon. Mr. Kwinter: I tell the member, without bragging, that I go practically anywhere I am invited. I want to give some statistics to my honourable friends opposite. In the 12 months prior to my assumption of the portfolio, there were four ministers, two of whom were the same person. In that time, they addressed fewer than 12 groups. In eight months, I addressed 70 groups. To suggest I am not available does not make any sense. I would be delighted to debate the question any time, anywhere, as long as it can be scheduled.

Interjections.

Mr. Speaker: Order.

Mr. Jackson: Mr. Speaker, on a point of privilege: It is unfair that the Minister of Consumer and Commercial Relations starts talking about his speaking engagements on behalf of the Liberal Party.

Mr. Speaker: Order.

PETITIONS

SALE OF BEER AND WINE

Mr. D. R. Cooke: I have a petition from the employees of Zehrs Market, Frederick Street Plaza, Kitchener, who have lots of information about the proposed legislation. This petition indicates that the 46 signatories understand the Ontario government plans to introduce legislation to permit the sale of some beers and wines in Ontario corner stores and that they have read reports this may be confined to so-called independent stores.

They wish to express their objection to any legislation that would exclude them and their place of employment from the opportunity to sell

to their customers any products simply because they are not a so-called independent store.

They indicate that this practice would discriminate against their customers who choose to shop there of their free choice for reasons which they believe they have contributed to, that the practice would discriminate against them by encouraging their customers to shop elsewhere and that they believe they work hard and conscientiously for their customers and intend to do so for beer and wine as well as for any other products they sell, including many strictly regulated products. They object to any government action that jeopardizes their jobs and earnings by manipulating free consumer choice.

They believe they have earned the right to be respected in the way they so work and they demand that, if legislation is passed permitting beer and wine to be sold in grocery stores, their grocery store be given the same permission.

Mr. Harris: I have a petition from North Bay Food City employees, Local 715, at 1899 Algonquin Avenue, North Bay. It is signed by about 150 people and states:

"To the Honourable the Lieutenant Governor of Ontario and the Legislative Assembly:

"We understand that the government of Ontario plans to introduce legislation to permit sale of some beers and wine in Ontario grocery stores. We have also read reports that this may be confined to so-called independent stores.

"We, the undersigned, wish to express our objection to you, as our elected representatives, to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store.

"This practice would discriminate against our customers who choose to shop here of their free choice for reasons we believe we have contributed to. This practice would discriminate against us by encouraging our customers to shop elsewhere. We believe we work hard and conscientiously for our customers and intend to do so for beer and wine as well as for any other products we sell, including many strictly regulated products. We object to any government action which jeopardizes our jobs and earnings by manipulating free consumer choice.

"We believe we have earned the right to be respected for the way we do our work. We demand that, if legislation is passed permitting beer and wine to be sold in grocery stores, our grocery store be given the same permission."

Mr. J. M. Johnson: I have a petition similar to the ones presented by the member for

Kitchener (Mr. D. R. Cooke) and the member for Nipissing (Mr. Harris).

On behalf of 44 employees of Zehrs Markets of Bolton, I too would like to table this petition.

Mr. Jackson: I have similar petitions from four groups representing the IGA on Elizabeth Street, the IGA on Guelph Line, the Loblaws No Frills on Brant Street and the Miracle Food Mart on Fairview Street, all in Burlington; these are well in excess of 100 signatures. They state:

"We, the undersigned, wish to express our objection to you, as our elected representative, to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store.

"This practice would discriminate against our customers who choose to shop here of their free choice for reasons we believe we have contributed to. This practice would discriminate against us by encouraging our customers to shop elsewhere. We believe we work hard and conscientiously for our consumers and intend to do so for beer and wine as well as for any other products we sell, including many strictly regulated products. We object to any government action which jeopardizes our jobs and earnings by manipulating free consumer choice."

Mr. Morin: I have a petition from the employees of Loblaws Supermarkets Ltd. store 47, located at 900 Greenbank Road, Barrhaven, Ottawa.

These employees are objecting to the government of Ontario's plan to introduce legislation to permit the sale of beer and wine in independent stores only.

Mr. Treleven: I wish to present a petition with the same wording as the first seven petitions this afternoon, from 21 employees of Zehrs Markets, Ingersoll, and 43 employees of 738 Woodstock Food City in Woodstock.

SCHOOL BUSING

Mr. Hennessy: I have a petition for the Minister of Education (Mr. Conway), signed by 542 residents and children attending Agnew Johnson, Heath Park, Queen Elizabeth, St. James, Sherbrooke and Hyde Park-Kingsway schools. The children are in kindergarten classes, and the bus service has been withdrawn within 1.6 kilometres of the schools.

Taxpayers and parents feel this could create extreme hardship in the winter months, especially for the children and parents. They would greatly appreciate if the minister would look into

this matter to see whether something could be done as soon as possible.

SUNDAY TRADING

Mr. Rowe: I have a petition presented to the Lieutenant Governor from approximately 400 parishioners of Essa Road Presbyterian Church in Barrie, Westminster Presbyterian Church in Barrie, St. Andrew's Presbyterian Church in Barrie and Knox Presbyterian Church in Craighurst. These parishioners are opposed to the wide-open sale of goods in retail stores on Sundays.

Mr. McCague: I have a petition similar to that of the member for Simcoe Centre (Mr. Rowe) from parishioners of Jubilee Presbyterian Church in Stayner.

MOTIONS

COMMITTEE SITTINGS

Hon. Mr. Nixon moved that the standing committee on public accounts be authorized to meet today following routine proceedings and from 8 to 10:30 p.m., and in the morning, following routine proceedings and from 8 to 10:30 p.m. of Tuesday, July 8, and Wednesday, July 9, 1986.

Motion agreed to.

COMMITTEE SUBSTITUTION

Hon. Mr. Nixon moved that Mr. Gregory be substituted for Mr. Gordon on the standing committee on public accounts.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

3:40 p.m.

COMMITTEE SITTING

Hon. Mr. Nixon moved that the standing committee on general government be authorized to meet following routine proceedings on Wednesday, July 9, 1986.

Motion agreed to.

INTRODUCTION OF BILLS

TOWN OF MARKHAM ACT

Mr. Cousens moved first reading of Bill Pr23, An Act respecting the Town of Markham.

Motion agreed to.

TOBACCO SALE REGULATION ACT

Mr. D. S. Cooke moved first reading of Bill 118, An Act to regulate the Advertising and Sale of Tobacco.

Motion agreed to.

Mr. D. S. Cooke: This bill bans tobacco advertising and requires that tobacco to be sold to a consumer be labelled in the prescribed manner and that persons who sell tobacco be licensed to do so. In addition to imposing fines for contravention of the act, the bill would permit cancellation of the licence of a person who sells tobacco to a person under the age of 16 years.

ORDERS OF THE DAY

CLERK OF THE LEGISLATIVE ASSEMBLY

Hon. Mr. Nixon moved resolution 7:

That this House express its appreciation to Roderick Lewis for his dedication and years of service as Clerk of the Legislative Assembly; and that, notwithstanding the customs of Parliament, the Clerk be invited to address the House.

Hon. Mr. Nixon: I am very honoured and delighted to move the notice of motion. I would like to make a few comments before the motion is put, and I await with a great deal of interest the comments that might be made to the House by the Clerk.

Probably more than any other member currently here or in the history of the House, he has had the pleasure of listening to the extensive debate over the years as it has gone back and forth on any number of subjects that could be contemplated. Because of his special responsibilities, during all those years he could not participate in any way.

He and his father, who was his predecessor in this important office, had as their main responsibility to facilitate the democratic business of this House, to advise directly Mr. Speaker and the other officers of the House and to be available to extend to any member who approached them their best advice.

A private member for many years and now a minister of the crown, I am prepared to give my testimony that Mr. Lewis has always been readily available to provide that advice, both to members of the government and to any individual in any of the parties. For this, we have valued his judgement and extensive experience.

We should be aware that not only this House but also other Houses in the legislative assemblies across Canada and in the Parliament of Canada, as well as legislatures in the Commonwealth, have availed themselves of his advice when something out of the ordinary came

forward or they wanted the experience of this long-serving Clerk to assist them in perhaps their inaugural years as newly formed legislatures in the Commonwealth. We are very proud that this House has been able to support him in those efforts and to add our words of congratulations to those which have come from other jurisdictions as he ends a lengthy career of service as our Clerk.

I believe it was almost exactly 60 years ago when Mr. Lewis's father, a former member of this assembly, took up his responsibilities as Clerk of the Legislature. Upon extensive research on the matter, I am told that Mr. Lewis himself came into the chamber as an observer 66 years ago. I am not sure that all those years were accompanied by as careful attention to the debate that was a part of the experience during his many years as Clerk, but it is interesting to note that even as a lad he was interested in the work of this chamber and this Legislature.

It was just after being called to the bar in 1939 that Mr. Lewis became a member of the public service of Ontario, working in the succession duty branch of what would now be the Ministry of Revenue but which was then associated with the Treasury. We should recall that there was a time when succession duties were the principal source of revenue in the province, although they were not quite that important in those particular years.

When war was declared, he took the responsibility of military service with the Royal Canadian Navy. It was unfortunate that following his service, he was left with arthritis to the extent that he had to enter military hospital for a period at the conclusion of the war. Immediately following that, he was invited to become First Clerk Assistant, that is, assistant to his father, Alex C. Lewis, who was Clerk of the Legislature in 1946. During that long period of service, his experience in this House and his encyclopaedic knowledge of the judgements rendered by various Speakers, often with the advice of Mr. Lewis himself or his father, have been considered extremely valuable by this House and other legislatures.

During the period, even in the relatively brief time I have been a member here, the work of the House has changed dramatically. The orders of the day, for example, have been much improved so that individual members can find at a glance what the specific work is on a day-to-day basis, and all the reporting forms from the Legislature have been improved and clarified to the extent that once again, with Mr. Lewis's guidance and

leadership, this House is a model in the British tradition.

I also want to speak briefly of his ancillary responsibilities as chief electoral officer. This is the way I got to know Mr. Lewis first, since I came here in a by-election when it was necessary to contact the chief electoral officer's headquarters for guidance. It should be pointed out that he served without additional emolument. I am not at all sure we should not have a special pay bill to make up for that, for all those servants of the Legislature who have had more than one duty over the years as government has expanded and progressed.

Mr. Lewis has listened to the debates. He has never indicated, in any way that I could discern, any particular side to the debate, but he has indicated in his advice to the Speaker, in this and in previous governments, that it is his job to see that we are well advised on the rules and to give every honourable member an opportunity to express his or her views on the issues of the day. That is why we are here, and the Clerk has repeatedly shown his commitment to that as the first responsibility, to make this House work and to make it work democratically.

3:50 p.m.

During all those times, he has not been able to respond, as individual members can, showing support or objections, sometimes exasperation, or any of those human responses. That is why I felt it was particularly appropriate to ask Mr. Lewis to address the Legislature at the appropriate time so we might know some of his views in a formal way. I think it is also appropriate that Hansard should contain, along with the views expressed by the honourable members, the words of the Clerk himself. This is a substantial departure as far as legislatures are concerned, but in these circumstances I think every member of this House will await his words anxiously.

On a personal basis, I have appreciated the advice that was always made available in an even-handed and fair way to everyone who approached the Clerk. In my duties as House leader for the government and in opposition, and as Leader of the Opposition and, for a brief period, as leader of the third party, good and independent advice was always available on the proper utilization of the rules. Without rules, democracy cannot function. On that basis, we know the Clerk has one of the most important responsibilities in this chamber.

Mr. Grossman: In rising to speak to this motion, I cannot help thinking that both the government House leader, who just spoke, and

the Clerk share with me the distinction of following our fathers into this assembly. However, I must say I was somewhat surprised to realize the Grossman family were mere rookies when sized up against the Nixon and Lewis families in this House in that we arrived here only 31 years ago.

The government House leader and I share several other things. We have both served as government House leader, opposition House leader, Leader of the Opposition and Treasurer. I do not plan to share the other experience he had for a brief period of time.

Mr. Breagh: Big treat for the member.

Mr. Rae: This too shall come.

Mr. McClellan: The member is going to love it.

Mr. Grossman: It sure looks like fun from here, but as I recall, it was more fun over there. Thanks anyway.

I have been watching the Clerk of the House for many years, since the day my father arrived in 1955. We have seen him here as the Legislature has grown and changed. When I first observed the assembly, and surely when the government House leader first observed it, the Legislature sat for a period of weeks. In the 1950s, it sat for as long as then Premier Frost thought was appropriate. He would deem it so at the start and tell everyone how long they would be here. Some thought he also told them how they would behave and what they would do while they were here, and that was the way it worked out.

Over the years, this assembly has grown to be the longest-sitting provincial assembly in the country, which is as it should be. Recently, it has expanded its rules dramatically and now is televised. The rules have changed dramatically over the years, but the leadership and guidance of the Clerk has remained constant.

There have been tumultuous times from time to time during that growth and expansion, but at all times all members of this House could observe the Clerk offering some advice, be it to a new Speaker of the House, to a new member of the House or to a new Premier. The Clerk's opinion was often sought by long-serving Premiers, leaders and House leaders, and he has been a single, consistent and reliable source of good common sense, parliamentary knowledge and tradition throughout.

The government House leader said a moment ago that we have all watched as the Clerk listened to all the speeches quietly and patiently, without showing any emotion whatever. I must say that is

not my total recollection. I can remember the Clerk grimacing a twitch on some occasions.

Hon. Mr. Nixon: It was his lunch.

Mr. Grossman: No, not at that hour of the day.

I can even remember him nodding his head. One did not know whether it was in sadness, disagreement or bewilderment, but it was always interesting to watch when that occurrence might befall the assembly. Of course, no Speaker has failed to see the silent advice offered from time to time; advice that was usually best followed, although I hope the Clerk has not been doing that too much recently. In any event, we have not been blaming him.

I only want to say to the Clerk as we prepare to hear his long-overdue address to this House, that people serve the institution, they visit it, they work in it and leave, but very few people over a period of years come to be representative of the institution they serve. Those persons are indeed very rare.

When one can serve an institution such as this, which has seen so many people come and go, with such public prominence in the heart and core and whirlwind of public controversy and yet see a circumstance where the Clerk himself, in the face of all those people coming through, has—at least as long as this member can remember—come himself to personalize, epitomize, embody and represent the institution that we all proudly serve, it is indeed a massive and important accomplishment.

There is nothing that will be a greater monument to the Clerk's service here and to the contribution he has made than to know that whenever any member who has served in the past many years here thinks of parliamentary procedure and the institution of the provincial parliament, he will almost automatically come to visualize and picture this Clerk of the House sitting at that table overseeing these procedures.

Mr. Rae: I know everyone is looking forward to hearing from Mr. Lewis. I want to say a couple of words in addition to those I was able to say on the day Mr. Lewis's retirement was announced to the House when we celebrated his 75th birthday. As the Leader of the Opposition (Mr. Grossman) has said, we have seen a transformation of this assembly and of the Clerk's role over the past number of years from an assembly that sat regularly but for brief periods in an almost pastoral view of minimal government to one with all the advantages and disadvantages of the modern democratic assembly which sits for long periods.

Indeed, my introduction to this place occurred at the time we were debating wage and price controls, or wage controls as they were introduced in this province. Our caucus was responsible for keeping the assembly here longer than it had ever been here before.

Hon. Mr. Nixon: It is a shame.

Mr. Rae: The government House leader says it is a shame. He was saying that when he was the opposition critic. In fact, the opposition and the government were close in those days. It was an exciting and interesting time. There was an interesting occasion—

Mr. Grossman: The member knows the feeling.

Mr. Rae: I do not know whether there was anything formal, but it was quite clear. In any event, it was a time for us. We were arguing about closure and the responsibilities of the Speaker and the rights of the assembly. Throughout that time, there was a sense that the history of this House was one that rested with one person who had a clear sense of the debates as they had taken place literally over half a century.

4 p.m.

The government House leader notwithstanding, it is a tribute not simply to the longevity of Mr. Lewis's service but also to its quality and its multipartisan nature that this House has been through many divisive debates but there was never occasion when there has been any question of the quality of the civil service, of which the Clerk is the senior member, to this assembly.

It has already been said by both the speakers today that the Clerk had the unique position of listening very carefully. I want to share my perception with the Leader of the Opposition. I can recall not simply grimacing but a rather vigorous shaking of the head. Perhaps I am more aware of that when I am speaking than when the Leader of the Opposition is speaking. Perhaps when he is speaking, the Clerk grimaces, but when I occasionally make a point that is out of line, it creates a reaction that is only natural and a healthy sign.

It is fair to say that all of us here will remember not simply the general quality of service but the very personal service the Clerk has given to each one of us. When I first got here, I was struck by the length of questions in comparison with those where I had done some of my training for this job, in the House of Commons in Ottawa, where the questions at that time were a little bit shorter and where the Speaker kept them very short.

I came here and found the questions were very long in comparison to what they had been in Ottawa. I commented on this in something I said in the House or somewhere else. Mr. Lewis came up to me and said, "You are very right and I hope you can get the House to agree with you." I am delighted to say I have managed to mix in very effectively with the longevity of the questions, rather than getting anybody else to change his practices.

I hope very much that the Clerk will have something not only to say today but to write. It would be a fascinating chance for those of us interested in the history of this place and the history of this province to hear from him his perspective on the performance of various people who have sat in this place during past years and his sense of the value, or not, of debate and the way in which we could improve the rules and the quality of the Legislature. I think the Clerk, having watched us all perform and having watched the system work or not work, as the case may be, has a lot to say on those subjects.

In addition to what he has to say today, I hope the Clerk will take the time to write this down. All of us have to be concerned about the public's reaction to the way in which Legislatures perform. As our work becomes more public, so does the observation of the public with respect to the workings of these assemblies become tougher.

I am reminded of the Donato cartoon I used to include in all my householder mailings when I was a federal member. It had a picture of a husband and wife in the kitchen, screaming to their children in the living room, "Stop that shouting, watch your language and please cut it out." The word came back from the living room, "It is not us; we have just got the House of Commons question period on the television."

The same comment might be made after our own experience with television in this place. No doubt that puts an onus on us all to reflect on how we can improve the work we do and the sense of public confidence in the work we do.

We are not engaged in an impersonal process here; it is a very personal one. We do work out of personal commitment. I simply want to thank Rod Lewis for the help he has given me as a member of this assembly. All of us will want to pay tribute to him personally in the days and weeks ahead and say how much we are looking forward to hearing from him, not only today but in the weeks and months ahead, as he has the opportunity to reflect a bit on the work and life

that have been his in this wonderful province of ours.

Mr. Turner: Mr. Speaker, I would like to make a few casual observations. I will start at the beginning when I was appointed to the position you now occupy. As the government House leader will recall, it was done rather hurriedly. It happened over the Easter weekend. I received a phone call and was told I would also receive a phone call shortly from the Clerk of the House, Mr. Lewis, which I did. He suggested I come up here on Easter Monday and there would be a tailor here, I would be measured and everything would be ready for Tuesday afternoon. Of course, it was not. Mr. Lewis appeared and I appeared, but I do not remember a tailor. At that time, Mr. Lewis and I were somewhat the same physical size, and Mr. Lewis over the years had accumulated a change of suits. He very kindly allowed me to wear his suits for many weeks, indeed months, until I received the proper attire.

Mr. Ashe: You have obviously gained weight.

Mr. Turner: No, I have not. He has lost weight.

Anyway, I have many fond recollections of my association with Mr. Lewis, both in this assembly and outside of it. As you no doubt are experiencing in the position you occupy, Mr. Speaker, you do take special note and have a special feeling for what goes on in this chamber and in this building. During my time as Speaker, Mr. Lewis was invaluable in a very personal way, in a way that included instruction and guidance on many matters pertaining to the procedures, not only in the House but also many other places.

I can always say that any advice he gave to me, other than that motion of moving the arm—which I was tempted to shake if I could leave the chair, but I never could at that time—was advice founded on procedures and precedents in this chamber and other chambers which always met the problem of the particular time.

I can remember, as many others will in this House, when we used to sit rather peculiar and extended hours. If and when, as did happen, we ran into a problem, the procedure was to phone Mr. Lewis whether he was here or at home. Invariably, at some hour of the night he would be at home. There was never any question of his not getting dressed and coming down here and meeting with us and the other clerks at the table to offer advice. He offered not only advice but, let us face it, a solution to the problem at hand. Then the House would resume its business.

To have served the length of time Mr. Lewis has, not only in this chamber but also, as has been mentioned, as an adviser to other assemblies in this country and in other parts of the Commonwealth, is an honour that will fall on very few people. Very few people will have the opportunity of serving not only for the length of time Mr. Lewis has served, but also in the very distinguished capacity in which he has served, and with a feeling of camaraderie, friendship and almost fatherly advice, if I may say so. Not only myself but also other Speakers, Deputy Speakers and Deputy Chairmen have been recipients of that type of guidance.

4:10 p.m.

As a token of the esteem in which he has held, we have just to look into your gallery, Mr. Speaker, and see the staff from his own Legislative Assembly office and the staff from the election office who have come up here to pay tribute to him and to listen to his words, as we all will with great anticipation. I would like to say thank you in a very personal way, Mr. Lewis. If I may say so, we have an individual who is not only a gentleman, but in every sense of the word a gentle man.

Mr. Speaker: Hon. Mr. Nixon has moved that this House express its appreciation to Roderick Lewis for his dedication and years of service as Clerk of the Legislative Assembly, and that notwithstanding the customs of parliament, the Clerk be invited to address the House.

Motion agreed to.

Mr. Speaker: In accordance with the motion just passed, I invite you, Mr. Lewis, to address this House with any remarks you wish to make.

Clerk of the House: Thank you, Mr. Speaker. I hope you will forgive my back.

This is of course a very emotional moment for me. I had thought of some things it might be rather amusing to say, such as that I was a bit surprised when the House leader announced I was 75 years old because I do not feel any different than I did at 25 years. However, the Canadian Parliamentary Guide says I was born in 1911, and if you cannot believe the Parliamentary Guide, who can you believe?

This is quite a departure from parliamentary precedent. It may be the first time—I do not know—in the traditional British parliamentary system the Clerk has addressed the House in his own words. I appreciate the honour very much.

After listening to speeches for 40 years, I was tempted to say that this is my chance to get my

own back and put on a one-man filibuster, but I decided that perhaps the less I said the better.

It is an emotional time for me, of course. I have spent a very large portion of my life to date in this chamber and at this table. It will be a wrench not to be sitting in this place where I have sat for so many years. It was a wrench to give up the elections work when I decided it was time to do it because, as my friend Nelson Castonguay once said, "You are either an election nut or you are not." I guess I am an election nut.

Seventy-five is a good, round figure. I came to the conclusion that it was time to step forward to something different with less exacting hours, giving me a little more time to be with my wife, who for many years has sat alone waiting for me to get home from night sessions.

I am glad the government House leader has asked me to stay in the service of the province in a consultative and advisory capacity and to write. As far as consultation and advice are concerned, whoever succeeds me at this table, I promise you I will never impose myself on that person. I will try to assist that person when requested, when asked, but not to impose my views on whomever that person may be.

I have enjoyed more than I can say this place and this work. I have enjoyed my meetings and the acquaintanceships and friendships I have formed with many members on all sides of the House. I can honestly say I have formed some very firm friendships with former members, perhaps particularly with former Speakers, with whom, of course, I have worked very closely.

I simply want to thank all members for their kindness, their patience and their words.

Mr. Speaker: I will say just a word to the members of the House. The Clerk, Mr. Lewis, has said he has made many friends here among current and former members and Speakers. The present Speaker should in some tangible way in the near future have an evening when present friends and older friends would have a time to join together. So that you are aware, I am planning to have a Speaker's dinner some time in the early fall when I will invite former members and former Speakers to recognize and have an opportunity to chat with Mr. Lewis. I hope you will all be available when you receive that invitation.

RESIDENTIAL RENT REGULATION ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 51, An Act to provide

Regulation of Rents charged for Rental Units in Residential Complexes.

Mr. Speaker: It is difficult to tell which member wishes to speak.

Mr. Reville: I am just going to do a little filler at the start of my speech because there is a lot of distraction going on here. I cannot hear myself think. Sometimes when I can hear myself think I still do not know what it means. However, having listened to the speech of the critic for the Conservative Party, I can see he does not know what he means either.

Mr. Ashe: That makes three of you. Is the minister included?

4:20 p.m.

Mr. Reville: The minister has been very clear about what he meant. He said, "Today we move forward with historic legislation." I agree with him that Bill 51 is indeed historic legislation. There is no question that Bill 51 is the most critical piece of rent review legislation that this Legislature has seen since rent review was first introduced almost 11 years ago. It is so important because of a number of concepts that the minister has included in the bill.

It is not a surprise to New Democrats that these features are included in the bill because we negotiated very hard, when on May 28, 1985, the New Democratic Party of Ontario signed an historic agreement with the Liberal Party of Ontario that a particular agenda would be carried out during the first two years of a Liberal government. The accord was specific and probably more specific with respect to housing legislation than in any other area. It might be profitable to remind ourselves of the items that were contained in the accord that was signed between the New Democratic Party and the Liberal Party.

The accord called for universal rent control, that is, all rental units regardless of the date of their occupation and regardless of the rent on a unit, would be included under rent control. That is something that has been a long time coming and it is something about which we New Democrats are happy. We would not support any bill on second reading that did not include universal rent control. It means tenants in 120,000 units will now be given the same obvious, rational consumer protection that the tenants have had under the old rent review legislation. That is a good thing.

Another feature mentioned in the list in the accord and reflected in Bill 51 is the idea of a rent registry. It seems obvious that if a government

and a society is going to go to the trouble—and it should go to the trouble—of providing consumer protection for tenants, it must also devise a system so that a tenant may be assured that his or her rent is legal. This is important not only on the re-renting of a unit after a vacancy, but also at any time. A tenant should be able to determine whether the rent being asked is a legal rent. We are pleased that concept has been included in the bill and we would not support a bill which did not include a rent registry.

The accord also required that the provisions of Bill 198 be continued. Those members who have sat in the Legislature over a number of years will remember the debate on Bill 198. That bill capped the increase in respect of financing costs and kept it at five per cent regardless of how much a landlord alleged or was able to prove it cost him or her to refinance a building. The conditions that made that type of legislation necessary then continue now. I am glad to see Bill 51 continues those provisions.

The other thing the accord required and which has not been achieved is the protection of the affordable rental stock which the ministry has tried to deal with under Bill 11. I will not speak much about that now except to say that was also specific in the accord and the government has failed to achieve that. It is a very large concern because it is of little moment to have significant consumer protection if the consumers have nowhere to live. The attack on affordable rental stock, which Bill 11 seeks to address and which I hope will address soon, continues and has been stepped up.

The Minister of Housing (Mr. Curling), following the introduction of what was then called Bill 78 for first reading in the House, struck a committee about which we have heard much. The minister scarcely omits an opportunity to remark on the committee he struck. I will acknowledge it was a very clever move on the part of the minister to strike the Rent Review Advisory Committee. I say that in both the senses of the adjective "clever." Clearly, it was useful for the minister to hear from both landlords and tenants.

What the minister seems to be doing with the report of the Rent Review Advisory Committee is to rely on what he calls a consensus to justify all the provisions of Bill 51. That is something I do not agree he is entitled to do on the basis of the breadth of the consensus that was achieved by the committee or by the product of the consensus he claims to have been achieved there.

It is important to realize that the consensus was achieved within the framework of the government's housing policy, the assured housing policy that was announced, I believe in December 1985. That was what was before the Rent Review Advisory Committee when it sat down to work. In fact, its report reflects that very clearly, because on top of each of the sections in the report, a section of the assured housing policy is quoted. I believe what occurred, and the minister will undoubtedly acknowledge this, is that the committee debated the content of the government's housing policy and achieved some kind of a compromise within that framework.

The other thing that is important to recognize about the Rent Review Advisory Committee is that it was composed of co-chairmen, one of whom is and was a well-known landlord representative; in fact, he is the president of Pagebrook Holdings, a company that manages 4,300 rental units, most of which have been occupied since January 1, 1976. The co-chairman of the Rent Review Advisory Committee, therefore, came to the exercise with a number of objectives.

I might point out that the other co-chairman with whom I have worked over the years, a person for whom I have a great deal of respect, Mary Hogan, executive director of Parkdale Community Legal Services, is not herself a tenant, although she has a long and creditable track record as a tenant representative.

In addition, there were nine other landlord representatives and nine other tenant representatives, one of whom declined to sign the final report because he disagreed with one of the compromises the group reached. Several of the other tenant representatives are not themselves tenants, although in pointing that out I do not want to attack their credibility in any way.

4:30 p.m.

Having talked at some length with not only the landlord representatives but also the tenant representatives, I have discovered from the leader of the tenants' side that they felt strongly that their job on this committee was to come up with a deal that would ensure the government developed and implemented a housing policy for this province.

A strange kind of negotiating took place in which, in return for the tenants agreeing to give a very large amount of money to landlords, the government promised the tenants it would develop a housing policy. In other words, the tenants of Ontario have bought a housing policy from the government of Ontario. They have paid

for it in increased rent dollars, which will go into the pockets of the landlords of Ontario. That strikes me as a very strange kind of arrangement; in fact, it is one of the strangest negotiations I have ever heard of.

Surely it is the job of the government to have a housing policy that not only protects tenants in their apartments but also ensures that there are apartments for tenants to live in. That second objective requires two distinct sets of government policies: one is a policy that protects the housing we now have and ensures that it is maintained in a reasonable manner; the other is a policy that encourages the construction of affordable rental housing.

Those are the jobs of the government, no matter how rich a particular landlord may get. A government must not bargain with a specific group in society by offering them money from another group in society, particularly when the group providing the money is a group that has considerably less money.

I have noticed that the Minister of Housing has been paying attention and scribbling the odd note and he may at some point seek to refute what I have to say, and that is the prerogative of the minister.

Be all that as it may, we have before us at the moment a proposal from the government of Ontario and a consensus, however flawed, that may have been reached by a committee that the government established and is no longer particularly germane.

I assume what the minister is now doing is advancing a policy of the government of Ontario which is reflected in the legislation that has been introduced and which we now debate. The legislation must stand on its own merits, and the minister must now be able to justify each of the sections and subsections in the legislation so this Legislature can reflect on and deal with them how it may.

I want to be very clear about the position of the New Democratic Party of Ontario and the position of my caucus. I am not sure the House knows what the position of the Progressive Conservatives is, although I suspect—and they may speak to this at some point—they do not feel very happy about a prospective future that includes rent controls and rent reviews. That troubles me a great deal.

Very clearly, the New Democratic Party stands four-square behind the notion of rent review and the notion that, to control one's life and to plan for the future, tenants of Ontario need

and deserve sturdy, rational, rent review policies and procedures. We should be clear on that.

We should also be clear that the New Democratic Party thinks the formula the government has proposed to this Legislature for annual statutory rent increases—the increases landlords may request without going to rent review—is a seriously flawed formula. We do not object to the notion of the formula, but we object very strongly to the factors by which the rent increase is calculated.

There are three aspects to this mysterious formula that has been invented by the government for this legislation. We have had some discussion about what is meant by BOCI, the building operating cost index, and RCCI, the residential complex cost index, and how they will effect tenants. The minister has become increasingly skilled at refusing to explain this clearly under questioning by the Housing critics for the two parties that sit on this side of the house. In this speech, perhaps I can explain it briefly so the minister will understand it.

BOCI is a menu of 22 different kinds of costs that might pertain to the operation of rental property. The minister is agreeing; he is following me so far. A factor is attached to each of these operating costs that reflects some kind of inflationary guideline. In some cases it is the consumer price index and in some an industrial cost index. One of the largest costs that pertains to operating a rental property is municipal property taxes, which this government is failing to reform as abysmally as the previous government failed.

As an aside, tenants in Ontario pay far more than their share of property taxes than do home owners. This is a situation that cries out for reform, and I hope the Minister of Revenue (Mr. Nixon), who sometimes also works as the Treasurer, will pull the plug and start serious reform of property tax instead of the tinkering around with assessment, which is more common.

To get back to what BOCI is, one then takes all these weights and measures and averages them over three years. Then one multiplies by two thirds and adds two. This is pretty mysterious, but somewhere in the world, I suppose, there is an explanation. On wonders, why two thirds?

Before I get on to the two thirds, let me go back to BOCI, because I have yet to see any rationale about the weights that are credited to each of the 22 kinds of operating costs. I would like to see some information that demonstrates the menu is weighted properly. If it is not weighted properly, the tenants are going to be the losers.

4:40 p.m.

I understand the two thirds is supposed to reflect the real operating cost of a particular building. In fact, the evidence from the Residential Tenancy Commission is that a specific building, rather than some kind of metaphysical or transcendental building, would normally have between 50 per cent and 70 per cent of the costs listed in the BOCI menu.

If we take a range of 50 per cent to 70 per cent and consider that two thirds is 66.6 per cent, the two thirds clearly is very much towards the high end of that spectrum. It seems to me that choosing a number at the high end of that spectrum tends to favour the landlords as opposed to the tenants. That is one area in which we would like to see the formula amended.

The other area in which we would like to see it amended is at the other end of the formula. After we have gone from two thirds BOCI plus, we then get to two per cent. In our view, the two per cent is gravy that is not justified in any of the material that has been produced in great quantities by the government. It guarantees a landlord a profit, whether or not it is required, quite independent of profits the landlord is already making that do not show in terms of profits on operating costs and appreciation of an investment. There is a division of opinion as to whether the two per cent should be amended to zero per cent or one per cent. The member for Ottawa Centre (Ms. Gigantes) thinks 0.75 per cent would be a sawoff.

Nowhere is there any justification for the two per cent, except that it was the deal that was made. The Legislature is not in the business of making a deal; one hopes it is in the business of developing a housing policy that serves those who need to be served. In my view, the tenants of this province are not well served by a rent increase formula that allows for that kind of profit to go to the landlord.

There is another odd justification I have heard for the concept of BOCI and RCCI. In times of low inflation, the annual rent increase will be higher than inflation, which is a concept I find a little difficult to understand. I am sure the tenants of Ontario will find it difficult to understand as well. It is justified by the suggestion that if inflation were to become higher, the rent increase the tenants would pay in the future would be lower. The problem I have with that is that the government is requesting tenants to pay now for something the government should be doing in the future; to pay more than they should now in the hope that they might pay less later. I am not sure

the tenants of Ontario will think that is a good deal. I certainly do not think it is a good deal.

Another thing the government has suggested is that it should kill the bill. No, that is not what the government has suggested. The Treasurer gave me the wrong signal. Perhaps he is giving me the "sit down" signal, but he will want to listen to what I have to say because he has always been impressed not only by my erudition—he is not paying any attention; so I will not continue in that vein.

The government contends that the rent increase being higher than inflation in times of low inflation will convince landlords to do repairs and maintenance in times of low inflation. I suppose the government and the minister might understand the scepticism with which tenants greet such a proposal. Landlords who are traditionally poor at maintenance and repairs are, in tenants' experience, traditionally poor at it whether inflation is high or low. If that were not so, why would the government have gone to the trouble and forced landlords to do the maintenance and repairs for which they are already being paid through the rent?

Presumably, when one rents a unit one expects the landlord to maintain it in a decent condition. There is no question that some landlords are very good at maintenance and repairs, regardless of inflation, and there are some landlords who are very poor at doing them. It seems to me the primary concern of tenants is how much rent is to be paid on a particular unit, a unit that is adequate to a particular tenant's needs and size of household. Second, what kind of condition is the building maintained in? Is it a liveable space? Those are the two most important considerations.

In the proposals the government has made, it has failed on the first of those requirements, that the rent be increased at a level that is manageable for tenants and that does not provide benefits that are not needed for landlords. There are some specifics in the bill which I will touch on briefly and which I will speak about a lot more when we get into committee. Certain financial considerations are outlined in the bill, some of which happen in the rent review process, which has been much improved by the proposals in the bill, and I compliment the minister on those.

Speaking tangentially to the improvements in rent review, the process appears to be redesigned so it will be less adversarial and so a large number of the issues can be cut in a less formal way. Should tenants or landlords want to go through the formal hearing process, they can do so, but they can deal with fewer issues. That strikes me

as a good idea not only for tenants but for landlords too, especially the smaller ones.

To return to the theme I was dealing with before I went off on that rent review tangent, a number of financial changes have been made to the rent review legislation we have had in the past, some of which are unfortunate. The most unfortunate of these has to do with what is perceived by the government and by some landlords as a problem but is not so perceived by me. That is the economic hardship or the chronically depressed problem. If there is a fiction abroad in the land that is enjoyed by some few, it is that there are apartment units that are renting much too cheaply. That is an interesting idea.

4:50 p.m.

The bill proposes a way to make sure those so-called affordable apartments become unaffordable. That seems to be a silly move, a move in precisely the wrong direction. What it does is this: if one happens to own a building and can get it designated as one of the chronically depressed buildings, one is somehow entitled to a benefit that no other landlord is entitled to. It is a kind of bonus. One can get one's guideline increased, which the minister has said is going to be 5.1 per cent, or maybe 5.2 per cent—I will not quibble about 0.1 per cent; it is 50 cents on the monthly rent of a \$500-a-month apartment—but if one happens to own a building and can get it designated as a chronically depressed building, one can get an extra two per cent just on the strength of the designation; and one can get that extra two per cent perhaps for ever, because the two per cent comes if one falls somehow below the market; the minister will say significantly below the market.

However, because of other provisions of this bill, the market is going to go up at quite a rate. I am going to get to those provisions in a minute. That means if tenants are unlucky enough to live in one of those buildings that are called chronically depressed, their rents will increase on January 21, 1987, at the guideline plus two; that is, 7.1 or 7.2 per cent. On January 21, 1988, it will be the guideline of 1988 plus two—

Interjection.

Mr. Reville: There is some kind of House leader negotiating going on. I am making a speech about a bill the government has introduced, which is a seriously flawed bill. I have spoken very briefly and quite to the point and I am getting to more points here. The member for Durham West (Mr. Ashe) is eager to hear the points, and I am eager to tell him the points, and I

am going to tell him very quickly. He has to pay very careful attention.

If one owns a building that was occupied after January 1, 1976, one is also entitled to some other boni—that is several bonuses—that will increase people's rents by far more than the guidelines. I have spoken about these in question period, and I will allow members to go back and read Hansard to see precisely what I said.

If it is necessary, so that a landlord can emerge from the terror of an economic loss, it is possible to get up to three times the guideline, which would be 15.3 per cent. That is one heck of an increase, particularly when we know that large numbers of tenants in Ontario today cannot afford the rents they have to pay and that 80 per cent of people who are on some form of social assistance live in private rental housing. I can scarcely imagine what it must be like to pay 70 or 80 per cent of my income on shelter and have 20 or 30 per cent left over for frivolities such as food. That is the situation that pertains to 80 per cent of those who are on social assistance in this province, and that is a shocking situation.

The government has done a study on the chronically depressed situation that I hope will be released for all of us to look at. It talks about who lives in units described as chronically depressed rental properties. I am sure the incomes of the people who live in those buildings can also be described as chronically depressed, and that state of affairs should not be allowed to continue in this province. We have to call upon the government to remedy that without delay. The way not to remedy it is to increase the rents of people who cannot now afford the rents they are paying.

The proposed rent registry has a number of very serious flaws in it. Again, we have raised some of those flaws before in the House. There is an artificial and quite bizarre distinction between units of seven and more and units of six and fewer. Somehow, if one lives in a collection of units of six or fewer, under this government's proposal one is not entitled to the same kind of protection under the rent registry program as one who lives in a larger building. There are 446,000 units, fully one third of all the rental units in the province, that have this kind of vague, Lucy-Goosey rent registry about them.

There is a huge giveaway to landlords under this rent registry proposal. If he is a good little landlord and trots on down to the government office and registers his rent, he will be forgiven his past sins. That is kind of an amnesty, a pardon for activity that has taken money out of tenants'

pockets illegally over the years. I cannot credit a government being unable to figure out another way to get a landlord to register than to forgive that landlord for what could be millions of dollars of rent that should not ever have been paid and that has been, in effect, stolen from tenants.

Suppose, as a landlord, I do not register. In that case, a tenant can get illegal rent back for six years. That is the statutory limit. It may be convenient for the government to have chosen that statutory limit. I do not think it is very convenient for a tenant who may have paid illegal rent for more than six years. The government had another way to go. It could have had a special section that waived the statutory limit in the case of illegal rents and allowed a tenant to get back any illegal rent paid since 1975. That strikes me as a far better idea than the idea the government came up with.

There are other fairly serious flaws, one of which was also mentioned in the accord. There was a flaw in the original rent review legislation, the Residential Tenancies Act, which allowed landlords to keep charging tenants for costs they no longer were paying. The tenants call this item "cost no longer borne." Landlords call it something else, something more welcoming, but I forget precisely what they call it. The legislation has gone some way to deal with that problem.

Just to be sure people understand what this means, if I as a landlord went to rent review and said I needed an increase to pay for a roof that I have installed and, in order to pay for the roof, the rent will have to increase by X, at some time that X will have been paid off. Let us say it was \$10 a month for 10 years. The problem is that \$10 stays in the base rent and keeps being added to by rent increases year after year. Not only does one pay for that roof once, but one also pays for it for ever, dozens of times; unless, of course, it is replaced. That situation is patently outrageous. To some extent, the government has recognized how outrageous it is and has suggested that 80 per cent of the capital cost will be deducted. However, it means the tenants will pay for ever for a fifth of a roof they have already paid for. It is an absurd situation.

5 p.m.

When I pointed this out to one of the landlord members of the Rent Review Advisory Committee, I asked: "Why 80 per cent? Why do you think you can keep on having tenants pay for ever for 20 per cent of something they have already paid for?" The response was, "It is a deal." It is a bad deal for tenants.

On further questioning, this landlord representative said, "It could as easily have been a 120 per cent reduction," which struck me as a better deal. The landlord would still be making money if he reduced that capital cost no longer borne by 100 per cent, because the landlord made a profit on the value of the improvements to the property. He probably made a profit on the contract to do the work. Therefore, the 120 per cent, which was suggested facetiously by a landlord, strikes me as a policy the government should consider. It would be beneficial for tenants and would not be harmful to landlords.

My party is going to support Bill 51 on second reading because we are committed to rent review. We are committed to a rent registry that works. We are committed to a process that would require a landlord to undertake to maintain and repair his or her building, and we agree that in some cases a bit of a stick may be required to ensure that a landlord does maintain and repair his or her building.

I want to reiterate that it has always been the landlord's responsibility to maintain and repair a building he rents. That is partly what the rent pays for. I think it is irrational to suggest, and the government is suggesting this, that tenants should have to pay extra, more than the unit is worth on the market, to ensure that a landlord does the job for which he is already being paid. It is an absurd conclusion. It makes me think what has happened here is that the government has bought some of the wild stories landlords have been parroting over the years about how terrible a business it is to be in, the ownership of rental property is some kind of curse, one cannot make a nickel at it.

It is clear one can make the odd nickel renting property. Otherwise, why do nearly 400,000 people own rental property in this province? An extraordinary number of people own rental property. It strikes me it must be a reasonable investment or they would not do so.

The legislation needs a refit; that is for sure. There must be public hearings, because I do not agree the tenants of Ontario have the kind of consensus about the proposals of Bill 51 that the minister hopes they have, particularly in the case of tenants who live in post-1975 buildings. I think they are outraged at the contents of Bill 51. I think they feel they have been doublecrossed by the government. They remember the talk about a four per cent guideline. They are starting to figure out that after January 1, 1987, the increase is not going to be four per cent. It is going to be

considerably higher, almost four times higher in some cases.

While most reasonable people do not mind the breaking of a promise if it is just a little fracture, the government's promise in this case has been pulverized by the proposals in Bill 51. I am anxious to get on down to the standing committee that is going to deal with Bill 51 and start to move a huge, impressive number of amendments to this legislation so that in the end we end up with a rent review bill that does what it is supposed to: provide consumer protection for the tenants of Ontario.

Mrs. Marland: It is a pleasure for me to rise today to speak to the second reading of Bill 51, An Act to provide Regulation of Rents charged for Rental Units in Residential Complexes. There is basically one comment to make about Bill 51, and I appreciate the fact that the Minister of Housing is present this afternoon in the House. The one comment that best describes Bill 51 is that this legislation is a perfect example of a government trying to be all things to all people. With respect, any of us who have any experience in the political arena well recognize that is a basic mistake for any politician or indeed any level of government.

I believe housing should be considered the number one issue for all Ontarians, following the issue of health care services and the health of our province's residents. Since we are all, sadly, very much aware of where that issue of health care stands for the people of Ontario in July 1986 and, tragically, the great risk of a change in health care standards and accessibility in the future for our residents, I will deal with Bill 51, since it is the second issue of importance after our health.

If not immediately affected by the shortage of affordable housing ourselves, we should still consider it the number one issue in understanding the need for shelter and how important it is to the lives of all of us. Out of concern for those in need, who are truly the victims of this Liberal government's confused housing policies, let us reflect on the number of times we have debated this issue in this House in the past year by way of resolution, private member's bill or government legislation. The number of times this issue has been placed on the agenda of this House speaks of the need for this government to address the housing crisis in Ontario.

The 2,300 needy families who are on the Peel Non Profit Housing Corp. waiting list confirms the housing crisis on the local level for people in Mississauga South.

The Liberal government has introduced three bills dealing with housing since being elected. This is proof that it does not have a housing policy, that it does not know what to do and that it is not prepared to make the hard decisions necessary if affordable, available housing is to become a reality in Ontario.

5:10 p.m.

I would like to tell members of an incident that took place last Friday morning. While I was in my constituency office in Mississauga South, a 23-year-old mother came in with her two children under two years of age. This mother was in a desperate strait. Her children were upset because she was so upset, and her tears were because that morning she had received notice that the rent on her two-bedroom apartment, which is in the Ports Hotel in Port Credit, is to be increased to \$900 per month.

When I look at that young mother and recognize personally at first hand what the housing crisis is all about, I recognize that any legislation which may lead to a solution for her and her children is legislation we have no alternative but to support. There are other areas of legislation that have to be addressed in this province, perhaps particularly relating to the incident with this young mother.

When I went to the Ports Hotel, which is currently an apartment hotel, and dealt with the owner of the building in person on Friday, I confronted him with the question of this outrageous increase to \$900 per month for a two-bedroom apartment which would best be described as being in a building that is nothing better than the worst example of a flea-bag hotel one could possibly imagine. It is a building we are not proud to have within our municipal jurisdiction, and I only wish it were in another area so this outrageous owner could not ask \$900 per month for such accommodation.

When I said to him, "You know, this is a complete ripoff," he said: "You are quite right, Mrs. Marland. I agree with you. It is a ripoff, but I have to make money somewhere and I am entitled to charge these rents for this accommodation. I am within my legal rights. I have a lot of bread"—that was his word—"invested in this building and I can ask this young family for that rent."

I give that example because it tells us again what a lack of affordable housing is doing to thousands of people every day in this province. Affordable housing would help the many battered wives and children who today are taking up what should have been emergency beds in

Interim Place in Mississauga South because they cannot get out. Interim Place is a temporary shelter for victims of domestic violence, but because of the lack of affordable housing, there is nowhere for these families to go. These are families with young children who would like to get out of the temporary shelter so that other families who need that escape from domestic violence could get in; and so the vicious circle continues.

We must also reflect on the tremendous amount of money this government has already spent on advertising its innovative approach and solution to the housing crisis. Perhaps members will remember the province-wide advertising campaign that lasted all summer in 1985, in which this government spent our tax dollars advertising in national daily newspapers, regional weeklies and every local publication in the province, saying that it was about to introduce legislation that would house the homeless and stimulate the construction of new affordable housing and that Ontarians should abide by these new guidelines when entering into rental contracts in the months to come.

This bill, one of many that have appeared on the agenda of this House, proposes to do many of these things. Yet the Minister of Housing cannot cite a concrete example of data that would support its planned effectiveness.

What this bill does represent, as my colleague the member for Sudbury (Mr. Gordon) so accurately put it this past Thursday, is damage control. They have had to rely on the patience and goodwill of the tenants' organizations, the developers and the landlords finally to produce it.

It is very interesting when we look at the opinions of the people in the industry. I have a letter from a company in Mississauga that builds a number of rental units. In the letter, this gentleman is actually saying two things. This is an example of how two statements can sit in contradiction to each other, whilst trying to address the content of Bill 51, in the same letter.

This gentleman says: "We agree with the Fair Rental Policy Organization that Bill 51 represents a damage control measure, that it does not solve the problems of supply and affordability; but it does provide a foundation upon which to further amend our present system. This is a bill which we landlords need and support."

How strange that it is a bill landlords need and support while in the same breath they say it is a damage control measure and does not solve the problems of supply and affordability. One has to

wonder what the landlords are interested in. Are they interested in supply and affordability? What exactly are they interested in?

We must question one more time the priorities of this government, a government that the people of Ontario are increasingly coming to understand has no conscience. This government has attempted to present itself as the crusading white knight, the Robin Hood of the poor and the middle class. The government has demonstrated that it is committed to maintaining this illusion at all costs.

It has victimized our public health system and our medical profession for the sake of political expediency. It will continue to victimize the low-income earner and those truly in need of housing by introducing Bill 51. This inadequate legislation will not increase the supply of affordable housing in this province but, for the sake of appearing to do something, will protect the illusion before everyone abandons the crusade.

We simply cannot afford to ignore the real problem in our housing market today. The crisis is tremendous and the need is tremendous. We know we cannot afford to put on the market the numbers of nonprofit units that are needed. We know that legislation and regulation have created the problem that exists today. As legislators and as a government, members opposite must be courageous enough to face this challenge head on.

5:20 p.m.

The history of rent control in this province is an interesting one and one that began in a very different marketplace and political climate. In 1975, during a period of minority government, with two opposition parties supporting a move to a system of rent review that would protect tenants against the hardship of inflationary rent increases, rent controls were introduced. I do not believe it was a policy designed to remain in effect for ever.

It was a policy that worked for a time. Unfortunately, low-income earners of this province are now paying because no one has had the foresight or the initiative to examine seriously alternatives to this policy. It has become a system unto itself and a policy that no longer serves the purpose for which it was created. The focus should be the creation of more affordable housing; instead, the focus of Bill 51 is the perfection of the rent control system.

We must commend the participants for getting together and coming up with a proposal they, at least, can live with. However, it speaks of a lack

of creativity on the part of this government and a serious reversal of the promises that the Minister of Housing made to the tenants of Ontario. Our Progressive Conservative Party has always introduced programs in meeting housing needs that were solutions, not a stopgap temporary formula. I only wish Bill 51 could have had more in terms of solutions and long-term planning for those in Ontario who most need the answer to the housing crisis today.

The Deputy Speaker: Questions and comments? There being none, is there any other honourable member who wishes to participate in the debate? If not, this completes the debate.

Hon. Mr. Curling: It was a great opportunity for me to listen to the critics and the member for Mississauga South (Mrs. Marland) respond to Bill 51.

There is a great expectation on this government to produce, and it is producing. As I stated in my opening remarks, Bill 51 is intended to be legislation to protect tenants and landlords, to treat both parties in a fair manner and to set the stage for the rebirth of rental construction.

It is unfortunate that the honourable critic from the official opposition is not here today. I know the comment I will hear is that he will read Hansard, but I had hoped he would be here to listen to the comments of the other members on this bill.

The rent review policy we have introduced is a very extensive piece of legislation. It is legislation that many cities around the world and many provinces have wrestled with. Many governments or municipalities have not taken a leadership role in coming to grips with what rent review is all about. What it has done is seen where there is a place for the landlords, the developers and the people who provide rental property, and the government of the day, recognizing that government alone cannot build all the rental units that are needed. Therefore, the rent review package reflects the co-operation of the private sector with government. That is what the rent review package is about.

The housing policy that is being criticized here—again, we must realize there was no such thing as a housing policy in Ontario—is a housing policy that, again I emphasize, addresses all needs. The honourable member stated that I take every opportunity to talk about the historic situation of bringing together those interested parties to make recommendations and to discuss the ways we can resolve this ongoing fight about landlords. Ever since being in school and reading history, hearing about barons and landlords and

the fight the tenants are fighting, I have believed that most problems created by people can be solved by people. The landlord and tenant advisory committee sat down and discussed those problems and came up with a policy that addressed all those concerns.

I do not intend to speak at length, because what this bill stands for is there in my opening remarks, but I would like to make a couple of comments on the words of the honourable critic from the New Democratic Party. He speaks of the accord. I am not here, nor is my government here, to take credit; it is here to solve problems for the people of Ontario. We have no patent on the fact that members will have solutions that we, similarly, agree on. When the accord was struck and those members wanted to extend rent review to all units in this province, we had no problem with that and that is why we worked together and said yes. I am sure the members of official opposition would have agreed because they too want rent review on all units in this province—or sometimes I want to believe that, but I know they have the tenants at heart.

I will not go through the accord, but there are many things in the accord about which we both agree. That is why we signed it. If we did not agree in principle and at heart about this, that we can implement it, we would not agree on that. My honourable friend must understand that we went further than the accord. We realized it could not be a patchwork and we went much further. The separation of Bill 11 from Bill 51 was a recognition that we had to go further than what was in the accord, and we addressed that separately. I hope the members will proceed with sensitivity in having that protection for affordable rental stock.

What we are speaking about is leadership. We have taken the bull by the horns and we realize that if one is going to invest money—and we have asked the private sector to participate—we recognize the fact that there is a fair return on the investment, and the guideline addresses that. I am not going to go into details. The committee system structure will enable us to examine all the clauses that we put forth.

I would like to correct the member in his reference to chronically depressed rents. I must comment to my honourable friend the NDP critic that his understanding of the bill has impressed me very much. With a little more coaxing from us, he would endorse Bill 51 as an entirety without any great discussion.

5:30 p.m.

The member speaks about chronically depressed rent, the 20 per cent below the rent that could be obtained, 20 per cent below the potential rent that is charged for similar units outside, but there is another element he missed which is very important. A landlord has to be in the position of not receiving more than a 10 per cent rate of return and he must come before the rent review hearings board before that can be considered approved.

I must make one point. No increase above the guideline can be given or taken unless it comes through the Rent Review Hearings Board. At times when the member speaks about rent escalating 15 or 20 per cent, he must understand that each rent to be charged above the guideline must be justified before the Rent Review Hearings Board. That is not a change; it is being done now.

Members should understand the bill in its entirety. We are committed to Bill 51. It took a considerable amount of time and negotiation, with both sides giving up some of their strong views and realizing they had to come together to bring about a housing policy. We are committed to this bill, and we will be around whenever necessary to debate it in committee.

Motion agreed to.

Bill ordered for standing committee on resources development.

Mrs. Marland: On a point of order, Mr. Speaker: Are there no questions after the minister's final statement?

The Deputy Speaker: No, there are none.

Mrs. Marland: Too bad.

ELECTION FINANCES ACT

Hon. Mr. Nixon moved second reading of Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other Acts respecting Election Financing.

Hon. Mr. Nixon: This is part of a package, involving the redistribution bill as well, that will be debated in the Legislature for the hour remaining in this sitting, which may be sufficient to complete it. However, if it is not, we expect to go on with the discussions tomorrow. This is an important area of reform to which all parties have contributed.

The original election expenses legislation came into being in 1974 for the 1975 election and was a substantial departure. Without referring to all the events leading up to the introduction of the original election expenses legislation, I will say the government of the day was somewhat

reluctant to bring in legislation that would control the expenditures associated with elections. It was really the efforts of the opposition parties in the Legislature, as well as the general feeling in the community itself as expressed by editorial writers and thoughtful citizens in many walks of life, that persuaded the then Premier to bring in the legislation.

One of the substantial objections at the time was that there was essentially no limit to expenditures in campaigns at the local level; however, a limit was introduced for the overall cost of advertising only. During the subsequent decade, we have found that the legislation has worked very well.

The Commission on Election Contributions and Expenses has gained the respect of all politicians and those associated with the election organizations in support of the politicians. The people in general, I also submit, have learned a good deal of respect for the commission, its power and, in many respects, its fairness in dealing in a reasonable manner with the various campaigns. A number of flaws have been pointed out in the legislation over the years, and by dint of widespread consultation among the three political parties in this House and with many interested people in the community, we have come up with this bill.

I cannot report that there is unanimous support for all provisions, but as far as I know there are only minor differences of opinion, which may be settled by amendments being put forward in the committee, or perhaps it will be seen as useful by all members to proceed with the bill as it is and at least give it a reasonable chance. If there is anything inadequate or untoward in the provisions as they are, we can correct that in further amendments, perhaps after the utilization of the bill itself in some electoral confrontation in the far-distant future. I do not know whether this bill will be amended, but I will say that any amendments that are brought forward are going to be minor and not dealing with the principle of the bill.

Basically, the substantial additional principles over the legislation we have been working under for the past decade deal with the establishment of limits at the constituency level. I have felt for a long time that these were necessary. Sometimes it is easier for popular government parties to raise funds than it is for unpopular opposition parties. As leader of an opposition party that may have fallen into that latter category, I can assure members it was difficult raising funds, and it was understandable why the then government was not

anxious to bring forward limits on expenditures; by simply holding out its cupped hands, the largess of the community seemed to fall into its coffers. One can understand why they were not keen to have the kinds of limits on constituency expenditures that I felt were lacking.

This does not mean opposition electoral contests have not been reasonably well financed. Since all this material is public knowledge, anybody is free to compare the expenditures in any of the constituencies, both in the most recent election and going back for the past decade. It is understandable that most people feel it is fair and fitting that a reasonable limit be established on expenditures at the local level.

This bill has a formula for the establishment of that limit which places it at approximately \$50,000 for an average riding. Many members here would point out that this is four or five times the amount of money they actually spend, and a few members would find that their electoral style would be somewhat cramped and that they would have to halve their expectations for expenditure. The discipline that is inherent in the provisions of the bill will be good for political parties and individual candidates, and I hope there will be substantial support in the Legislature for that concept.

The other innovation I am particularly interested in is that the bill requires the reporting of contributions for leadership conventions. It may be difficult to assert the full power of law in all respects, but I do believe the provisions are workable. I have gone through three or four leadership conventions myself. From this standpoint, it all gets a little vague and the events tend to run together, but I do believe public reporting of the funding of leadership conventions is useful. I was particularly concerned that money raised with substantial tax credit support was being collected at the constituency level and then being reallocated in support of leadership candidates. This matter required some modicum of control, and I believe the bill very effectively brings that forward.

5:40 p.m.

I sincerely hope the House will approve the bill in principle, and that when we review it in committee there will not be amendments of any substantial nature. All of us are looking forward to the first utilization of the new legislation, which also improves the subsidy paid to bona fide candidates under a formula that had grown substantially out of date over the passage of the 10 or 12 years since the legislation was originally enacted.

I once again want to express thanks for the co-operation of the representatives of all parties who have taken part in this. I particularly want to mention Barbara Sullivan, a former member of the Commission on Election Contributions and Expenses who is currently on the staff of the Treasurer. She worked with representatives from the other parties so the actual provisions of the bill would meet, as closely as we could provide, what we considered fair and equitable legislation and control in the important democratic matter of paying for the electoral process.

Mr. Breaugh: I am sure many of us on all sides have had an opportunity over the past few years to look at revisions to the Election Finances Reform Act and the way the Commission on Election Contributions and Expenses functions. That has culminated in the bill before us today. We support the bill. There are parts, as the previous speaker said, that we are not quite as gung-ho about; for example, putting election expenses and disclosure requirements on leaderships. Frankly, because of the practical ramifications of that, we are not terribly convinced that can be done.

Those of us who have had a chance to work with this act and this commission and the federal act and its approach are somewhat taken aback by the differences we see. If there is a hallmark in the Ontario work in this jurisdiction, it has been the reasonableness of the commission. The commission does seem to understand that in all our ridings there are people working very hard under somewhat difficult circumstances sometimes, as many elections are, to keep an accurate record of expenditures, where one got money, how it was spent and all that.

They have been reasonable—I guess that is the key word again—in setting out standards for people in the ridings and making them meet those standards, but they have not been obtuse or obnoxious about all that, as they can be. We have not had big police investigations here, but we have been persistent and consistent in getting people to comply with the act; sanctions have been used. I think our experience has been a positive one.

I personally am an advocate of keeping a careful accounting of expenditures during the course of elections. That should be a matter of public record; it is in Ontario. The advantages of a candidate or a political party in terms of raising and spending large amounts of money during the election period are somewhat limited under this kind of legislation, as I believe they should be.

In short, we support the legislation. It has been quite a while getting here. I am aware that in a previous incarnation there were recommendations from the Commission on Election Contributions and Expenses on even rather small matters: on small cash donations being raised from \$10 to \$20 and on small wording amendments to the act itself. They have not been able to hit this Legislature for some time.

One of the things I would like to put on the record today is that I believe the commission is doing a good job. It has a new commissioner, who I believe has respect from all sides in this house. I would regret it if we did not see another report from the commission for a long time. I encourage them to report regularly and to have the Legislature respond to their needs.

It seems to me they are doing a job that is difficult, but they are doing it well, and they deserve our attention. When they bring to our attention that some drafting changes should take place in the act or that some changes should occur on an annual basis to reflect different circumstances, we should be able to respond to that, and it should not be held back for a long time.

We will support this bill. We understand a couple of drafting amendments will be put forward as we go through committee, and that is no major problem for us. We think it is good legislation that is long overdue. It is the end result of a lot of hard work by a lot of people, and it deserves that kind of recognition.

Miss Stephenson: I have a question I hope will be addressed, as the member for Oshawa (Mr. Breaugh) suggested, by subsequent meetings of the commission.

I am somewhat disturbed by the section of the definitions in which contributions are outlined, and it has been disturbing to me for some time. There is no major change in that definitional activity, but there is a measure of concern that should be addressed by the commission at some point. I hope the government House leader will try to ensure the commission will look at this very critically.

There are definitions of unpaid voluntary labour that are generally accepted but not necessarily precisely defined. There are definitions of products, goods and services that are accepted by the commission; for some people, apparently, they can be produced at no cost at all, and for others in absolutely the same circumstances they cost a significant amount. These are differences that should be investigated by the commission.

I hope the government House leader and the member for Oshawa will encourage the commission to examine those definitions of contributions very carefully to make sure they are the same for everyone. After a mere 11 years and four elections in this House, I am not at this point convinced they are the same for everyone, although I believe the commission tries very hard to ensure they are at least equitably examined by the commission itself. Perhaps it is a question of the reportage that is necessary; perhaps it is a question of other things. I hope that exercise is pursued.

On motion by Mr. Harris, the debate was adjourned.

REPRESENTATION ACT

Hon. Mr. Nixon moved second reading of Bill 77, An Act to revise the Representation Act.

Hon. Mr. Nixon: I am very glad my friend the member for Oshawa is here so the House will not pass this by without noting I had mixed up the bills.

Mr. Breaugh: He did not.

Hon. Mr. Nixon: Yes. Now we are back on the right one. We have the two major speeches completed.

Mr. Martel: What is the real order now?

Hon. Mr. Nixon: For those pedestrian thinkers, it is one after the other.

Miss Stephenson: Has the Treasurer got a program?

Hon. Mr. Nixon: Yes.

Miss Stephenson: Will he kindly tell us what it is?

Hon. Mr. Nixon: It is the same as the member's.

An hon. member: Let us get on with it.

Hon. Mr. Nixon: Yes, if I may.

5:50 p.m.

The government puts the bill forward in the House in exactly the same terms as it was delivered to you, Mr. Speaker, by the Ontario Electoral Boundaries Commission. The commission was established by order of this House almost 20 years after the Legislature decided redistribution should be completely apolitical and carried out by a commission headed by a judge with whatever backup assistance was required to redistribute the boundaries of the constituencies without any partisan political input.

It was possible, and still is under this procedure, for the political parties of the

province as represented at the provincial level or at the constituency level to appear before the commission and express any views they might have as to whether the boundaries were appropriate. All of us have heard the stories about the bad old days when politicians would retire, usually just those of the government party, to look at the map of the province and carve up the constituencies in a way most beneficial to them.

Miss Stephenson: It was begun in 1934, I believe.

Hon. Mr. Nixon: As a matter of fact, I was going to say the last time this was done successfully was when the riding then called Brant was established under the auspices of the Progressive Conservative Party. They decided to hive all the Liberals in the area around Brantford into one constituency. I was not going to raise this, but since the honourable member has interjected, I thought I might assist her in her story until she has a chance to make a speech.

The hiving of the Grits around Brant made the election there a real contest but one that was started off perhaps a little bit unfairly. It should be also interesting to know that the then Premier, George Henry, who campaigned on the slogan "George Ploughs a Straight Furrow," had decided for reasons of economy to reduce the number of constituencies from about 120 to 90, a substantial reduction indeed. Since most of those were then represented by Conservative members, there must have been a great hue and cry and gnashing of teeth in the caucus and in the corridors of power in those days.

Those days are gone for ever, or they should be. It should not lie in the hands of individual members to adjust the boundaries in anything other than the most minimal way. Where a name is misleading for a constituency or where a line has been drawn by mistake involving only a handful of electors, then I think the House would have the right and the power to adjust it, but for us to put our judgement against the impartial judgement of the redistribution commission is another matter.

The House decides what to do with bills before it, but I emphasize that this particular bill establishing the constituencies in Ontario was not entered into without careful consideration and independent consideration for many months and, in fact, years. The original proposals were distributed widely by advertisement across the province with invitations to any citizen or groups of citizens, municipalities, political parties or any organization that would be affected to come

before the commissioners and express their views.

Based on the original recommendation, I and most members of the Legislature had a chance to express our views to the commissioners' meeting in an open situation, where anybody could come and hear what was put forward and express his own views. There was a general change in the boundaries as they were first expressed by the commissioners, who brought forward an additional report some months later.

That report was debated extensively in the Legislature, where individual members had an opportunity to speak, often in the actual presence of the commissioners, who attended in the galleries on a regular basis. The views expressed by the individual members, together with the Hansard report of any of the objections or suggestions for change, were taken away a second time by the commissioners for review.

As a result of that additional review, we received the bill as a draft coming from the commissioners to the Speaker and put in the hands of myself as the government House leader. It was introduced into the House without any change whatsoever, and it is my contention that it should pass through the House without change.

Mr. Hennessy: Oh, oh.

Hon. Mr. Nixon: That is my argument, and there is nothing wrong with my putting forward that view. It has been the traditional one expressed by the government down through the many years in which the Progressive Conservatives had the carriage of this important democratic responsibility. I am aware of no case where the bills introduced by the Progressive Conservative governments during previous years were in any substance amended, except for the possibility of some name changes. I simply put that to the honourable members as a tradition that has been established here that is opposed to the old process, where the politicians got the map and carved it up to suit themselves.

We should bear in mind that the constituencies we sometimes refer to as our constituencies are not ours at all. We have the opportunity to seek re-election in any constituency we choose. No law says one has to live in one's constituency; in many urban constituencies there is not a tradition that the member actually lives in the area he chooses or desires to represent.

Having pointed out the traditions of this House, which I consider to be healthy and democratic, I say again that the House disposes of this legislation as it sees fit. I hope the individual members are well aware of any

dangers in putting their judgement ahead of the judgement of the commissioners, which is totally nonpolitical, nonpartisan, at arm's length and has all the majesty of the judiciary of Ontario. For that reason, I am honoured indeed to move second reading of the Representation Act and will listen to the views expressed by the honourable members with much attention.

Miss Stephenson: I would like to question the government House leader for a moment. Since he is aware that it has been many decades since members of this House actively carved up ridings for themselves—

Hon. Mr. Nixon: I can remember it, and the member can.

Miss Stephenson: I remember it as a small child, and I believe the Treasurer was involved in the carving at the time, because his father was a member. I do not believe his father was involved in it.

Hon. Mr. Nixon: It was the dirty Tories who did it then.

Miss Stephenson: I am not sure that is so. None the less, I simply want to ask the government House leader whether, if there are rational, small boundary changes that appear to have the support of the various ridings involved, those small changes might be considered? Will name changes that represent more accurate descriptions of the ridings as they have been developed by the commissioners be accepted by the government House leader as reasonable amendments?

Mr. Jackson: I have a question as well for the government House leader. Specifically, it has to do with his statements about how the process had changed and how the process is at arm's length. Will he please confirm that during the public hearings between phase 1 and phase 2 there was an open invitation to make suggestions for amendments; that, where possible, agreement should have been reached between the members affected, and that it carried a very weighty argument in the presence of the commission and became a valid recommendation before the commission if the incumbent members by agreement felt the change did not violate the 25 per cent rule?

6 p.m.

Mr. Turner: This has to do with the procedure and the process we followed between the first recommendation and the second recommendation. The first recommendation came out and we had a chance to speak to it. The various parts of the ridings affected also made their views

known. In the second phase, however, a very small part of my riding was affected and it did not have the democratic right to appeal. That part is now contained in the second recommendation as part of another riding. Does the Treasurer (Mr. Nixon) think this is a fair process?

Mr. Lupusella: I also want to rise and express my concern in relation to the procedure of the commission looking after the issue of redistribution. In presenting the bill to this Legislature, the Treasurer stated that the procedure was fair and democratic. I want to question for a moment the democratic process of the present system. Perhaps it sounds democratic, but if one compares our way of representing a riding with the procedure used in Europe or other jurisdictions which use the proportional vote rather than the riding or the boundary approach, then our system is undemocratic.

I want to make a few comments as to how the system is undemocratic. With the present system, the commission gives guidelines of approval about adjustments of boundaries which take place every 10 years, as I understand it. When an election is called and three candidates are running, only one person wins. The other two candidates lose the election and all the votes in a specific riding are lost or dispersed. They are not absorbed by the party which eventually would redistribute the votes to other candidates belonging to the same party. In that way, a good majority of people are not represented through their votes.

Hon. Mr. Nixon: There will be plenty of opportunity to exchange views. In answer to the member for York Mills (Miss Stephenson), if name changes are agreed upon on all sides, I have no objection to that at all. I do have an objection to changing the boundary that has been recommended by the commission if there is a significant change in population. In looking back at the traditions that have been established in this chamber, no significant changes involving populations have occurred that I am aware of, although name changes have.

The member for Burlington South (Mr. Jackson), who has been assiduous in his detail in this matter, asked why it could not go forward if I felt there was some agreement between phase 1 and phase 2. I am a bit nonplussed about the phases. Phase 1, in my view, was when the commission made its first report. That was advertised extensively and people looked at it and said, "This is what they have done to our community." Many municipalities immediately responded, many political organizations and

politicians responded, and a number of other groups responded and asked for permission to talk to the commissioners. In all cases, they had an opportunity to express their views.

That leads me to the comments made by the member for Peterborough (Mr. Turner) because it was the subsequent phase in which a change affected some of his constituents and a right of appeal was presumably missing. It did not go back to the commissioners until after the debate that took place in the House. It was quite possible—and I believe the honourable member himself might have brought it to the attention of the commissioners—that something had happened of which some of his people and perhaps he himself did not approve. The commissioners then had an opportunity to look at those objections and make their final report to the House. On that basis, I believe it should be enacted the way they reported.

Mr. Jackson: I welcome the opportunity to express some concerns about this bill as it affects the representation and the democratic voting rights of the citizens of Ontario. More particularly, I wish to rise to discuss the concerns that have been expressed by the citizens in east and southeast Burlington and the concerns they have that this bill will not well serve their democratic rights and, more important, their democratic needs to be effectively represented in Ontario.

They object strenuously to the report of the electoral boundaries commission. They have tried to make a case in this House and on several occasions to state that case through their incumbent member. Those are a matter of record and I do not wish to take the House through each of those presentations, but members will recall it was my first motion as an MPP on June 13, 1985. I also made substantial remarks with the commissioners present in the Legislature on December 13 and January 6.

There is a long history of the evolution in this riding. To compress it, I want to refer to the fact that there was an inequity in phase 1. It split part of our community into another community. A section of east Burlington was put in with Wentworth North riding. The commission saw fit not only to acknowledge that but also to correct it. That came without the assistance of the members of the Liberal Party, because before that commission hearing, we had representation from only the Progressive Conservative Party and New Democratic Party. The Liberals were noticeably absent from any attempts to try to save Aldershot.

It appears that same theme arose when the commission announced its second phase and advised that a section of southeast Burlington would be divided and part of it go to the city of Oakville. Again, at an all-candidates meeting the Liberal candidate indicated it was the first time he had heard about it. One year later, we have had an opportunity to involve all three political parties in this process.

This problem in east Burlington has aggravated the citizens so much that they conducted a public meeting, because they realize they are being disfranchised. We believe it is the only one of its type in Ontario that was conducted after the commission's findings and report. They conducted a door-to-door campaign to gather petitions from the citizens, with an absolutely overwhelming response. There were more than 3,000 signatures. I believe, and the House leader might confirm this, it was the only petition that was tabled in this Legislature on behalf of citizens.

There were two unanimous resolutions from the council of the city of Burlington and from the regional council of Halton. The elected representatives and the citizens have stated in unanimous terms that this section of the community should not be severed and put into a totally unrelated community.

6:10 p.m.

The member for Brant-Oxford-Norfolk (Mr. Nixon) made extensive reference to an apolitical process and almost made an appeal to the members of this chamber not to refer to this as "my riding." I ask the member to look, perhaps for the first time, at this concern and this electoral travesty. I ask him to look at this not from the point of view of it being any one politician's riding but in the light of the overwhelming arguments presented by the citizens. In this instance, it is the citizens of Burlington who are trying to appeal to this government to be flexible enough and understanding enough that this amendment occur.

It has enjoyed, up until now, quite a nonpolitical track. At one point, all three members in this House who represent Halton had agreed on that. It is that most serious and sensitive point that I wish the member for Brant-Oxford-Norfolk to focus on for a moment.

Having been here only a year, I have been told that one is only as good as one's word and that one tries to make effective agreements based on clear understandings and agreements among all three political parties. To this end, a meeting was convened with the three Halton representatives

with a view to reaching a consensus, not on behalf of our ridings but on behalf of the wishes of the citizens of Halton region.

Publicly, there were statements made in this House in the presence of the commissioners, who sat in the chamber and listened, by the member for Oakville (Mr. O'Connor) indicating that all three members were in agreement on the change. I made statements and the member for Halton-Burlington (Mr. Knight) in his initial comments in the Legislature made reference to changes.

I have since learned that is not the way things work around here. Sometimes one can have the luxury of unilaterally changing one's mind. I learned somewhat late, to the disappointment of most all of the citizens of Halton region, that one of the three incumbent members had apparently changed his mind or lost interest in his support and that this had been communicated to the commission.

That is a very serious matter, in my view. That is one of the reasons I asked the member for Brant-Oxford-Norfolk whether part of the process, after the second round of public hearings, did not involve an encouragement that where changes were felt necessary it was important to get unanimity from all the elected representatives and the citizens' groups involved. We thought we had done that.

We thought we conducted ourselves in a manner above reproach, in full view and for the interest solely of the citizens of east Burlington and Halton and not for any one political party. Yet now I learn the commission had been advised that the member for Halton-Burlington had withdrawn his support. He gave no real reason for it; just did not think it was worthy of support.

He got his amendments through. The member for Oakville and the member for Burlington South found no reason to second-guess the judgement of another of the three Halton members of the Legislature. We saw no reason to disbelieve that a process conducted in full public view, in the hands of judicial individuals on the commission, with—I hate to use the expression—a handshake among three men and with what I thought would have been a round of great public support for the move would survive. Then we learned that somehow this agreement had evaporated because one member from the government side saw fit not to support it.

The New Democratic Party and its representatives in the riding affected have been most supportive. They have indicated publicly and privately that there is nothing political about this request and that it is in the best interest of the

citizens that they not be severed so dramatically. That would, in effect, sever east Burlington from any communications vehicle with its elected representative.

Very few people realize that there is no commonality of newspapers or of the local cable TV. Even the Toronto Star and the Globe and Mail virtually stop their saturation at Burloak Drive and the Hamilton Spectator has its impact. It is a clearly defined communications division and it would be virtually impossible for the citizens in this area to receive any ongoing communication other than the three newsletters the Legislature makes available to its representatives to serve the citizens. With the exception of that newsletter, there is no effective vehicle for communications.

The second concern is the disfranchisement of their voting rights. I am talking purely about an urban problem here and not the one that, unfortunately, many rural communities must experience in the province. For example, because there is no bus service between Burlington and Oakville, senior citizens in Burlington who cannot get enumerated have to get a taxi or impose on a friend to drive them all the way into Oakville just to register their vote; not just to register their vote, but also to register to enable them to vote. Then they may have to return to vote, if they are not placed on the proper polling register back in Burlington. Although this may not seem a significant issue, and it is a problem in rural areas, it seems a crass and unfair process through which to put the citizens of east Burlington.

I have made much of the fact that there is a lot of public support. I ask the member for Brant-Oxford-Norfolk, who is expressing leadership on behalf of the governing party on this and giving guidance to his caucus when discussing how to vote on this matter, to consider the situation in east Burlington. The citizens involved are unique in so far as they themselves have made the appeal to the government. Surely a government that proposes to keep an open-door attitude should not propose to have a closed mind when listening to the citizens of a community.

I will also appeal at this time to my colleagues in the New Democratic Party who have established a long tradition of understanding grass-roots issues and community representation. It appears that an issue such as this would be a natural for them to support. They have also indicated privately and publicly that they sympathize with and support the amendment.

What is holding up this amendment? Why is the government reluctant to look at the proposed amendment, which I would be pleased to move when we are in committee of the whole House? The member for Brant-Oxford-Norfolk has indicated to me on several occasions that it would not have the proper appearance. I say to him that is an unfair indictment of a citizen concern that is being tabled in this Legislature on behalf of not a political party but citizens.

It is not my riding, as he suggested. It is the riding of Burlington South with Burlington voters who are going to be disfranchised. There still exists to this day unanimity in the community, agreement with the region and the municipality with respect to their resolutions. We seem only to have failed with respect to winning back support from the member for Halton-Burlington. We will never know why he has chosen not to support the citizens in Burlington in such an important matter, why he has refused even to respond to the regional council, of which he was a member in good standing for many years, or the council of the city of Burlington with respect to this amendment.

6:20 p.m.

It does represent a test of this Legislature's courage to deal with an issue which may appear to be partisan but which in fact is not. I ask my colleagues in the NDP to join with their riding association which has made a very strong appeal to them to consider supporting this. Their immediate past-president, Jim Ryan, is an alderman in good standing in the affected area and he has communicated that directly, as has Alderman Walter Mulkewich, a very well respected alderman and the current president of the NDP riding association.

I am disturbed, however, that the Liberal Party has seen fit not to respond in an open manner in this fashion. I want to refer to some comments that were made on its behalf on this issue. It concerns me that the immediate past-president said representation being spread in Oakville and Burlington was not a big issue. Its current president said that any attempt to try to change this decision was merely an exercise in wind. That appears to be the extent of the support the Liberal Party has given to the citizens of east Burlington for what is not just an idle concern. There was a petition signed by 3,000 citizens, the only petition tabled in this Legislature, and unanimous resolutions of the Halton regional council and the city of Burlington council, the only resolutions that were tabled in this Legislature.

In conclusion, I invite the member for Brant-Oxford-Norfolk to encourage his caucus to look favourably, not upon my riding of Burlington South but upon the request of the citizens of Burlington South that has been so well documented.

I will be presenting an amendment to the bill when it goes to third reading. If the member checks with the member for Halton-Burlington, there may be some change in attitude for a second time. I hope he will see his way clear to support this amendment.

Mr. Rae: I appreciate the opportunity to say a few words on behalf of my party about this bill, which will establish new ridings and boundaries for the next election campaign and for future Legislative Assemblies.

I want to indicate to the House that we will be supporting this legislation. It has gone through a process of considerable consultation in which we have all learned to respect the judgement of those who have drawn up the boundaries. Of course, there will be differences of opinion, questions of expertise and so on, as they have been raised by the member for Burlington South.

I should say to him that our party has decided to support amendments only if they have the support of all three parties, for a very basic reason. I want to tell him why. It has nothing to do with the wisdom of any amendment, but I want it clearly stated and that is why I am stating it here for future reference.

Our party views the question of redistribution as something no majority alone should be allowed to change. Therefore, if we have a group of people who have decided on the boundaries, the only condition under which we will accept some changes—and we had some concerns as well, of which I am sure the member is aware, which we have expressed in the discussions with the other parties—is that they can be negotiated successfully, with all parties concerned agreeing.

I want to make it very clear that if there is ever a majority situation in the House, we want to have the same rule apply. The Treasurer is shaking his head. He will not be in that majority situation, so it will not concern him at all.

Mr. Breagh: It does not apply to him.

Mr. Rae: It does not apply to him anyway. I am saying it is a basic principle that should be involved.

We will be supporting the bill.

Hon. Mr. Nixon: The third party has some name changes.

Mr. Rae: We have some proposals for name changes, as the Treasurer has shouted out very conveniently. I respond by saying, yes, we do have some.

We expect those changes will take place if they are agreed to by all members of all parties, but we are not about to see a process of gerrymandering or anything taking place by virtue of the power of the majority. However, as a party in this assembly, we may be able to play off one demand against another and thereby effect some changes.

In my view—and I am speaking personally in this regard—it is time this House looked at proportional representation far more seriously than it has done before. It would be in the interests of this House if, prior to the next time there was to be a redistribution, we looked hard at a way of ensuring that the degree of representation in this House reflects the distribution of votes as they take place across the province.

I am not suggesting that we abandon completely the notion of geographical representation or the notion of regional representation. I do not think that would be wise in a province that is as geographically diverse as ours. It is important. It has been expressed by the member for Dovercourt (Mr. Lupusella); it has been expressed by a great many other people. It is time that we looked hard at whether the first-past-the-post system—which, after all, comes from a time and a place very different from the time and place in which we now find ourselves—is the most fair and effective way for us in an urbanized society to reflect the preferences of the voters of this province, which is what this assembly is, in measure, supposed to do.

I take the view that it should be possible for us to devise a uniquely Canadian and, indeed, a uniquely Ontarian system that would combine the need for strict geographical representation on a riding basis with a degree of proportional representation. I can tell the members—and I do not think I am telling any secrets or anything that is not widely known—that this proposal was discussed and suggested in 1980, after the election prior to the most recent election of the federal House, when the Liberal Party found itself without any representation—virtually none—in western Canada. At the time, the Prime Minister was aware that, although he had a majority in the House, he had a problem.

I suggest to the members opposite that they have a problem too. They do not have anybody in the cabinet from northern Ontario. They have a significant problem with respect to representativeness and it would be in the interest of the

entire House if we looked hard at this. It is something I hope the House will look at the next time around.

Briefly, there are two arguments made against proportional representation or any form of it. The first is that it is not in our traditions; the second, that it would produce a House of permanent minorities. Let me deal with both those so-called objections.

With respect to the first point, I do not think it is true to say that it is not within the Canadian tradition. In fact, the demand for PR, as the Treasurer well knows, was a consistent demand of the United Farmers of Ontario, of western co-op organizations and of those who sought to make their assemblies more representative. It has a long-standing tradition in this country and was seriously discussed federally in 1980 between the Liberal Party and the New Democratic Party but rejected by the Conservative Party.

With respect to the second point, that it would produce minorities, I make no apology in saying that I happen to believe that minority government produces the best government possible in this province. Given the nature of our party system, the fact that we have a three-party system, we have had several instances in the past 20 years where the so-called first party has received less than 45 per cent of the vote but has managed to achieve an unnatural majority precisely because of the system and the way the votes are distributed. I happen to believe it would be in the interests of Ontario if this assembly continued to represent, as this House has since the most recent election, the preferences of the people as expressed in an election.

Let us get on with this bill, but let us be more imaginative and creative the next time to make sure that we have the most democratic assembly and the most democratic election process we can devise.

On motion by Mr. South, the debate was adjourned.

ROYAL ASSENT

The Deputy Speaker: I beg to inform the House that in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor

has been pleased to assent to certain bills in his chambers.

Assistant Clerk: The following are the titles of the bills to which His Honour has assented:

Bill 43, An Act to amend the Shoreline Property Assistance Act.

Bill 76, An Act to Implement the Terms of a Settlement of all Claims arising out of the Contamination by Mercury and other Pollutants of the English and Wabigoon and Related River Systems.

Bill 79, An Act to amend the Municipal Act.

Bill 98, An Act to Implement the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

Projet de loi 98, Loi concernant la mise en oeuvre de la Convention de l'Organisation des Nations Unies pour la reconnaissance et l'exécution des sentences arbitrales étrangères.

Bill Pr1, An Act respecting the Ontario Association of Speech-Language Pathologists and Audiologists.

Bill Pr5, An Act respecting the Public Utilities Commission of the City of Scarborough.

Bill Pr9, An Act respecting the St. Elizabeth Home Society.

Bill Pr10, An Act respecting the Empire Life Insurance Company.

Bill Pr13, An Act respecting Pamaglenn Investments Limited.

Bill Pr14, An Act respecting Sherrydale Investments Limited.

Bill Pr16, An Act to revive Alliance Française de Toronto.

Bill Pr17, An Act respecting the City of Cornwall.

Bill Pr19, An Act to revive Mylake Mines Limited.

Bill Pr21, An Act respecting the City of Chatham.

Bill Pr35, An Act respecting the Young Men's Christian Association of Cambridge.

Bill Pr37, An Act respecting the City of Toronto.

The House adjourned at 6:33 p.m.

CONTENTS

Monday, July 7, 1986

Members' statements

| | |
|--|------|
| Insurance rates, Mr. Stevenson | 2159 |
| Northern development, Mr. Wildman | 2159 |
| Brampton festival, Mr. Callahan | 2159 |
| Intervener funding, Mr. Andrewes | 2159 |
| Northern development, Mr. Ramsay | 2160 |
| Tourist bureau for the disabled, Mr. Rowe | 2160 |
| Northern development, Mr. Foulds | 2160 |

Statements by the ministry and responses

| | |
|--|------|
| O'Neil, Hon. H. P., Minister of Industry, Trade and Technology: | |
| Immigrant investors, Mr. Brandt, Mr. Rae | 2163 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Social assistance, Mr. Cousens, Mr. McClellan | 2161 |

Oral questions

| | |
|--|------|
| Curling, Hon. A., Minister of Housing: | |
| Rental housing protection legislation, Mr. Reville | 2169 |
| Elston, Hon. M. J., Minister of Health: | |
| Extendicare London Nursing Home, Mr. D. S. Cooke | 2170 |
| Fulton, Hon. E., Minister of Transportation and Communications: | |
| Urban Transportation Development Corp., Mr. Gregory | 2173 |
| Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy: | |
| Nuclear safety, Mr. Charlton | 2173 |
| Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services: | |
| Prison facilities, Mr. Callahan | 2171 |
| Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions: | |
| Sale of beer and wine, Mr. Jackson | 2174 |
| Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines: | |
| Alleged conflict of interest, Mr. Brandt, Mr. Rae | 2165 |
| Northern development, Mr. Rae | 2167 |
| Alleged conflict of interest, Mr. Pope | 2169 |
| Alleged conflict of interest, Mr. Brandt | 2170 |
| Alleged conflict of interest, Mr. Harris, Mr. Rae | 2172 |
| Riddell, Hon. J. K., Minister of Agriculture and Food: | |
| Insurance rates, Mr. Reycraft | 2169 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Vocational rehabilitation, Mr. Cousens | 2173 |

Wrye, Hon. W. M., Minister of Labour:

Workers' Compensation Board, Mr. Grossman 2164

Workers' Compensation Board, Mr. McClellan 2174

Petitions

Sale of beer and wine, Mr. D. R. Cooke, Mr. Harris, Mr. J. M. Johnson, Mr. Jackson, Mr. Morin, Mr. Treleaven, tabled 2175

School busing, Mr. Hennessy, tabled 2176

Sunday trading, Mr. Rowe, Mr. McCague, tabled 2176

Motions

Committee sittings, Mr. Nixon, agreed to 2176

Committee substitution, Mr. Nixon, agreed to 2176

Committee sitting, Mr. Nixon, agreed to 2176

First readings

Town of Markham Act, Bill Pr23, Mr. Cousens, agreed to 2176

Tobacco Sale Regulation Act, Bill 118, Mr. D. S. Cooke, agreed to 2177

Government motion

Clerk of the Legislative Assembly, resolution 7, Mr. Nixon, Mr. Grossman, Mr. Rae, Mr. Turner, agreed to 2177

Second readings

Residential Rent Regulation Act, Bill 51, Mr. Curling, Mr. Reville, Mrs. Marland, agreed to 2181

Election Finances Act, Bill 103, Mr. Nixon, Mr. Breaugh, Miss Stephenson, adjourned. . 2190

Representation Act, Bill 77, Mr. Nixon, Miss Stephenson, Mr. Jackson, Mr. Turner, Mr. Lupusella, Mr. Rae, adjourned 2193

Royal assent

The Honourable the Lieutenant Governor 2199

Other business

Adjournment 2199

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
Ashe, G. L. (Durham West PC)
Brandt, A. S. (Sarnia PC)
Breaugh, M. J. (Oshawa NDP)
Callahan, R. V. (Brampton L)
Charlton, B. A. (Hamilton Mountain NDP)
Cooke, D. R. (Kitchener L)
Cooke, D. S. (Windsor-Riverside NDP)
Cousens, W. D. (York Centre PC)
Curling, Hon. A., Minister of Housing (Scarborough North L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Foulds, J. F. (Port Arthur NDP)
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
Gillies, P. A. (Brantford PC)
Gregory, M. E. C. (Mississauga East PC)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Hennessy, M. (Fort William PC)
Jackson, C. (Burlington South PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Lupusella, A. (Dovercourt NDP)
Marland, M. (Mississauga South PC)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Ramsay, D. (Timiskaming NDP)
Reville, D. (Riverdale NDP)
Reycraft, D. R. (Middlesex L)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Stephenson, B. M. (York Mills PC)
Stevenson, K. R. (Durham-York PC)
Sweeney, Hon. J., Minister of Community and Social Services (Kitchener-Wilmot L)
Treleven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Turner, J. M. (Peterborough PC)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)
Lewis, R. G., Clerk of the House



No. 44

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Tuesday, July 8, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, July 8, 1986

The House met at 2 p.m.

Prayers.

MEMBERS' STATEMENTS

COMMENTAIRES D'UN ANCIEN MEMBRE

M. Villeneuve: Je ne veux pas laisser passer, sans contester, la toute dernière déclaration injustifiée et fausse de l'ancien député libéral de Cochrane Nord, M. René Fontaine.

Lors d'une émission radiodiffusée cette semaine, intitulée Ontario Trente, l'ancien ministre du Développement du Nord et des Mines a mentionné qu'il était victime de la chasse aux sorcières de mon parti et aussi, je cite: "les progressistes-conservateurs veulent être certains de faire disparaître tous les Canadiens français de la carte", tel que dit par René Fontaine.

En tant que Franco-Ontarien, progressiste-conservateur, je suis furieux et bouleversé de la méchanceté de ce faux renseignement de l'ancien ministre M. Fontaine qui a été pris au dépourvu et essaie avec acharnement d'éviter le vrai problème, son propre comportement en tant que ministre de la Couronne.

Mon parti a une longue et honorable tradition de justice envers les Canadiens français. Je retourne à il y a 20 ans, à l'éclaircissement de l'attitude du premier ministre John Robarts envers le Québec. Probablement, plus que tout autre premier ministre provincial de cette période, il a réussi à établir une amitié et un soutien de sa province et de son gouvernement pour faire de cette province française, un partenaire bienvenu du reste du Canada.

Je suis désolé de la déclaration de Monsieur Fontaine.

FAMILY VIOLENCE

Ms. Gigantes: Many members will have read in today's Globe and Mail of a judgement given by Justice Alvin Rosenberg of the Supreme Court of Ontario, which included the statement, "Other evidence establishes that Mrs. Espinosa is accepting of the beatings she has always received from Mr. Espinosa because [they are] far less severe than the beatings Mr. Espinosa's brother gives to his wife."

What a tragic statement! The words convey such appalling misery that, reading them in the Globe and Mail, I felt impelled to review the judgement and learn what led Justice Alvin Rosenberg to make such a statement. It is clear from this reading that Justice Rosenberg was not condoning the facts as they were presented to him in this civil case. He was simply noting them as facts relevant to the damage claims he was deciding. What a world of misery these facts reveal! Two women beaten and beaten and children who will sooner or later be aware that mothers are beaten.

What help do we offer? When we advertise to women that they can get assistance, what are we really offering? Transition and interval houses that do not have the funds to cope with the overwhelming needs of women and children; housing policy that does not provide a new place to live; family benefits allowances that mean abject poverty; and child care programs that do not begin to meet children's needs.

These things have to change and only we can change them.

SMALL BUSINESSES

Mr. Ferraro: On behalf of the Minister of Industry, Trade and Technology (Mr. O'Neil) and the committee of parliamentary assistants for small business, I want to show the members of the House a rack we have ordered, one for each member of the House. Specifically, we are going to stock it with small business material.

Half of the new jobs in the next five years will be created by small business people and we want to make sure that each constituency office has a rack that is stocked. We will send the information to each constituency office as it progresses. There is one rack per member. We have them in stock now. If the members want to pick them up themselves, they can contact our office. Failing that, we will send one to each member's constituency office.

COMMENTAIRES D'UN ANCIEN MEMBRE

M. Guindon: Moi aussi, je veux me lever aujourd'hui pour ajouter ma déception à celle de mon collègue, le député de Stormont, Dundas et Glengarry (M. Villeneuve).

Ce que M. Fontaine a dit à la radio, à l'émission Ontario Trente, est insultant. C'est une insulte pour tous les Canadiens français. C'est une insulte pour tous les membres de la Législature et c'est une insulte pour moi. Je suis un Canadien français, je suis un Conservateur et je suis encore ici.

Je trouve cela terrible et de mauvais goût que de dire une telle chose seulement pour se justifier lui-même, après avoir commis des fautes, parce que lui, il n'est pas capable de se justifier pour les erreurs qu'il a commises.

Je dois vous dire qu'il y en a d'autres qui sont venus ici avant lui. Il y en a d'autres qui ont été ministre du Tourisme et des Loisirs, ministre du Travail et qui avaient une entreprise familiale depuis trois générations et qui ont réussi à suivre les directives. Ils ont réussi à suivre les règlements au sujet des conflits d'intérêts. En outre, je voudrais le nommer: il s'agit de feu mon père, Fernand Guindon.

Je dois vous dire que chaque fois qu'un Canadien français commet une erreur, après cela il va s'envelopper avec le lys et le trillium. Il commet une erreur. Il aurait pu faire cette même remarque il y a 50 et 100 ans passés et cela aurait pu passer. Mais aujourd'hui, ça ne fait qu'augmenter la crise et les problèmes. Ça fait au moins 25 ans qu'on travaille pour les francophones. Ça fait plus que ça même que tous les membres de la Législature travaillent pour les francophones et dans une seule phrase, il vient nous abaisser et ça va être dur de revenir.

EXPOSURE TO ASBESTOS

Mr. Martel: Several weeks ago the Minister of Labour (Mr. Wrye), on my questioning him regarding asbestos in the courthouse in London, made the following statement: "I can assure the honourable member and those workers that we are going to make sure, before any stop-work orders are lifted, that the proper assessment is done."

First, I want to advise the minister that the Ministry of Government Services sent people in on July 3, exactly one week later, to commence work. The assessments were not done and the work is progressing—is that not wonderful?—despite stop-work orders by the ministry to the contrary.

Second, since the date I raised this matter with the minister, a young woman was fired for refusing to work in those circumstances and the Ministry of Labour refused to protect her. It is interesting to note that they have now found the asbestos is right in the ventilation system and

circulates throughout the entire building. That makes it wonderful for the people working there. The ministry has now said that everyone has to have an X-ray. Imagine X-raying people one week after they have possibly ingested asbestos.

The other interesting part about this case is that the Ministry of Labour and the Ministry of Government Services knew of the problems there for six years. When this woman refused to work, they refused to protect her. We now find out she was right; that, in fact, the whole building is contaminated because the asbestos was in the ventilation system. I want to know when that swamp is going to be cleaned up.

TWINNING OF CITIES

Mr. Cordiano: I am pleased to announce today the twinning of the city of York and the city of l'Aquila, capital of the region of Abruzzo in central Italy. Yesterday the Minister of Colleges and Universities (Mr. Sorbara) and I had the pleasure of meeting with a delegation from l'Aquila, including the mayor, Signor Enzo Lombardi, and the members of the municipal council of the city of York. They are here as guests of the city of York.

2:10 p.m.

L'Aquila is a beautiful hill town, famous for many things, not the least of which is its centuries-old university. It is my hope and the minister's hope that this twinning project will be the start of a truly close relationship between the people of the city of l'Aquila and the people of the city of York. In particular, in my capacity as parliamentary assistant to the Minister of Colleges and Universities, I am looking forward to the development of regular exchanges of students from the University of l'Aquila and both the University of Toronto and York University.

FORMER MEMBER'S COMMENTS

Mr. Pope: I cannot convey the shock and sadness I felt when I first learned of the comments of the former member for Cochrane North on the radio program, Ontario Trente. When asked by the interviewer if he believed he was a victim of a witchhunt by the Conservatives, Mr. Fontaine replied—I quote from a translation—"Yes, I certainly am. Yes, and over and above this, the Conservatives want to make sure the French Canadians disappear from the map."

There can be no excuse for that statement made by the former Minister of Northern Development and Mines and now the Liberal candidate in the Cochrane North by-election. His

statement is an insult to every citizen of this province, whether or not he or she is franco-phone, and it is an insult to every member of this Legislature regardless of political affiliation.

During the past two weeks, the Premier (Mr. Peterson) has spoken a great deal about honour. There is nothing honourable about this statement. Such a comment would have been out of place in our society 100 years ago, and today it is an insult that defies understanding.

STATEMENT BY THE MINISTRY AND RESPONSES

NORTHERN DEVELOPMENT

Hon. Mr. Nixon: I am pleased to inform the House that this morning the Premier (Mr. Peterson) was in Sault Ste. Marie to announce a number of initiatives designed to help that community through its current economic difficulties.

Recognizing that the problems of Sault Ste. Marie are part of a broadly based economic restructuring that is facing resource-based industries in northern Ontario, he outlined some special actions the government will undertake across the north.

We are making a commitment to help northern Ontario become more competitive. That means strengthening and expanding the resource industries where feasible; it also means attracting new, private investment and new industries to the north.

The Premier has asked the Minister of Industry, Trade and Technology (Mr. O'Neil) to lead an interministerial examination of the factors affecting the north's competitive position. Several special studies will be commissioned into such matters as production costs and the incentives available to northern Ontario industry relative to those elsewhere. The scope of these studies will include matters such as energy and transportation costs, which have been cited as a problem for the north's primary industries. In addition, the government will be doing all it can to minimize government-controlled cost increases.

To increase the policy and decision-making emphasis on northern investment, growth and diversification, the Ministry of Industry, Trade and Technology will appoint an assistant deputy minister of northern industry, to be based in Sault Ste. Marie.

The Premier will chair a major conference in Sault Ste. Marie this fall. The focus of this conference will be on strategic initiatives and opportunities to support growth and change in the

northern economy. We will invite major decision-makers from industry, labour, interest groups and government to attend the conference.

Second, the Premier outlined approximately \$60 million worth of new or accelerated initiatives which various government ministries will undertake this year to help the Sault-Wawa region and other areas of the north. Details of these projects are included in information kits being sent to all the members.

Finally, the government will begin a decentralization process that will see 360 jobs moved to Sault Ste. Marie. These include the forest resources group of the Ministry of Natural Resources and the Ontario Lottery Corp. Also, a new forensic laboratory of the Ministry of the Solicitor General is to be established in the region.

Mr. Bernier: I am pleased to respond to the statement by the Treasurer about the press release and the trip to northern Ontario by the Premier. I welcome him to northern Ontario and hope he will go there on more occasions.

I also hope we will have more by-elections in northern Ontario because here we see, holus-bolus, a grab-bag of recycled announcements sprinkled with a little new money; this is money literally thrown at some of the problems of northern Ontario, which is a crass way to win votes in Cochrane North.

I say to the Treasurer that the government has to earn its right in northern Ontario; it cannot buy it with these kinds of statements. It is by constant concern expressed over a period of time that the government will earn the right to have a representative in northern Ontario.

I have to say to the New Democratic Party and indeed to the critics from this party that we have had some impact for a year now, but it is obvious from this statement that there has been a minor impact on the government's concerns for northern Ontario. We are always grateful for small things in northern Ontario, and this is part of the process.

I am sure the Premier will agree with me that many of the announcements included in the Treasurer's package are recycled, previously announced statements. I notice the Treasurer increased the funding for the northern development fund from \$3 million this year to \$17 million, and now it is up to \$35 million. In a three-year period, he will still not reach the \$60 million he originally promised.

Mr. Harris: That is right. A broken promise again.

Mr. Bernier: Broken promises for northern Ontario.

A year ago, the Treasurer talked about all the things his party was going to do. It has had 42 years to think about the new initiatives it would bring to northern Ontario. I can recall a few of them. The Treasurer touted the tax rebate across northern Ontario as being the sacred cow of the Liberal Party. There is no mention of that in this statement on the north. He was going to equalize the price of gasoline and milk right across this province. There is no mention of that. He tried to suck in the voters in the last election with those statements, but he found out they are all folly and he has gone in a different direction.

The Treasurer has gone in the direction upon which the former administration was embarked. Many of the things in this statement were part of our package. The waterfront at Sault Ste. Marie was already in the Board of Internal Leadership and Development program. He has added to that because it was a successful program. He has also added more money for municipal roads, something we were doing. He just chopped that up and tossed it out.

This is a step in the right direction; there is no question about that. As I said earlier, northerners are always grateful for any attention or goodies that come their way. It is a little crass, however, to go to Sault Ste. Marie on the eve of a by-election. What about the rest of northern Ontario? I do not see anything here for Moosonee, very little for the ridings of Kenora or Rainy River, a little bit for Thunder Bay. It is so crass that it zeroes in on Wawa and Sault Ste. Marie in the hope that it will spill off into the Cochrane North by-election to be held on August 14.

It is a very crass statement; nevertheless, we welcome the thrust. At least some attention is being paid to the efforts of the opposition parties. I have to say that with a little bit of sincerity. The Treasurer has heeded some of our concerns and is moving in the right direction. We hope this initiative is only a small start, because there is much more to do. There are a number of important studies, but I hope the Treasurer will not spend too much time on the studies that have been announced in this statement. There are four or five major studies on northern Ontario, containing 290 recommendations. We do not need any more studies. The government should cancel all those studies. I speak to the Attorney General (Mr. Scott) as the powerhouse in that government, and I am sure he agrees with me.

In closing, this is a holus-bolus, grab-bag, desperation shot on the eve of a by-election.

Nevertheless, we welcome the new initiatives. While they are small in comparison to what they should be, we will accept them, as all northerners do, in a good spirit.

Mr. Rae: I want to respond to the statement made by the Treasurer today as well as the myriad speeches that were given in Sault Ste. Marie this morning.

The government's vision is a curious amalgam of what I call traditional pump-priming, in the sense of accelerating public works projects and doing some other things that have needed to be done for a long time. I take nothing away from the fact that the government has decided to invest some additional moneys in the Sault and to accelerate some public sector investment, but that in itself is hardly a vision.

What is curious about the amalgamation is that the Premier on page 10 of his speech says, "We also have to begin now to solve the deeper, more structural problems we must face down over the next few years," to which statement none of us can hardly object. However, the chemistry that the Premier puts forward for dealing with those structural problems is nothing more or less than Thatcherism pure and simple.

The Premier's answer to the problems facing the northern economy is: "I want the north to compete fiercely for investment dollars. I know we can make that possible only by offering investors an economic environment that provides attractive returns."

This is a government so bereft of vision that it has failed to understand that, while a partnership with the private sector is going to be necessary, it is an absurdity to think the private sector and free market alone are going to provide the answer to the problems facing the northern economy. This, in part, has caused the problems in the northern economy. It is nothing short of a travesty to suggest that holding a conference and giving the companies everything they want and giving in to what the companies want is going to provide the answer.

That is not a vision for the future; that is a mirror image of the past. If the Premier or the Liberal Party thinks that is going to create long-term jobs in northern Ontario, both are sadly mistaken. It is a vision that most northerners will reject because they know it for the emptiness it is.

Mr. Wildman: In response to the statement by the Treasurer today, I must say it is encouraging that the government has responded in some way to some of the recommendations of the standing committee on resources develop-

ment for Sault Ste. Marie and Wawa and to a couple of the recommendations of the Advisory Committee on Resource Dependent Communities in Northern Ontario, the so-called Rosehart report. I am disappointed, though, that there is no specific response to the Rosehart report, no detailed response to the 80 or so recommendations made by that committee. I am also disappointed that the Premier, on being questioned at the press conference today, specifically said no to the possibility of a medical school for northern Ontario or to improved health care training facilities in the north.

This announcement encourages more mineral explorations in the Wawa-Timmins area and more tourism in the north, which has already been announced, and commits the government to ministry decentralization into northern Ontario. In relation to the statement by the Treasurer today, in which he pointed out that the Ministry of Industry, Trade and Technology will set up in that area an assistant deputy minister to lead in development of the north, he does not point out, as did his colleague the minister this morning in the Sault, that the main job of this new assistant deputy minister for northern industry will be to study the studies already done in the north.

One of the things the government is going to be doing is appointing Mr. Rosehart to study the recommendations made by his own committee. We have had enough studies. It is about time for government action to deal with the structural problems in the north. I am tired of study. When are we going to see this government actually do something instead of continuing to act the way the previous government did, giving consultants more and more jobs to study the problems of the north?

2:24 p.m.

ORAL QUESTIONS

FORMER MEMBER'S COMMENTS

Mr. Villeneuve: In the absence of the Premier (Mr. Peterson), I will address this question to the Treasurer. If the Treasurer was listening to the members' statements, he will be aware of the accusations made yesterday by the former Minister of Northern Development and Mines and the current Liberal candidate in the Cochrane North by-election, Mr. Fontaine. I will repeat these accusations for the Treasurer's benefit. Asked on the radio show Ontario Trente yesterday whether he was the victim of a witchhunt by the Conservatives, the Liberal candidate replied: "Yes, I certainly am. Yes, and over and above

this, the Conservatives want to make sure the French-Canadians disappear from the map."

I find this statement to be an affront, not only to the members of this party, but to you, Mr. Speaker, and to every member of this Legislature. Does the Treasurer agree and concur with what his former colleague has said?

Hon. Mr. Nixon: In quoting what was on a radio program or a television program, the honourable member apparently is representing in this House what René Fontaine said in response to a question. I have no doubt that is what Mr. Fontaine believes. As far as I am concerned, Mr. Fontaine is quite capable of speaking for himself and he does so.

Mr. Guindon: On behalf of francophones and all members of this party and the Legislature, I ask the Treasurer publicly to dissociate himself, his government and his party from the remarks made by the former member and present candidate for Cochrane North and to request that the candidate publicly withdraw his statement.

Hon. Mr. Nixon: Mr. Fontaine has indicated publicly that he intends to be the Liberal candidate in that area. What he says on matters of policy is his responsibility. He has not been nominated. I fully expect he will be and that he will be elected.

Mr. Grossman: I say to the government House leader that this is not a statement of policy. Mr. Fontaine was not speaking about northern development or, Lord knows, grants to mining companies. He was talking about his belief that the Progressive Conservative Party "wants to make sure the French Canadians disappear from the map."

Last week the Premier told us long and often that it was a matter of honour, that the former member had acted out of honour and had honoured himself and his colleagues by doing "the honourable thing in resigning from this House." Will the Treasurer now do the honourable thing and clearly and unequivocally dissociate himself from the remarks of someone his leader intends to reappoint to the cabinet?

Hon. Mr. Nixon: Mr. Fontaine made the statement, speaking as an individual partaking in the democratic process of a by-election campaign. He is seeking the Liberal nomination. I expect he will win the nomination and return to this House. I am not in a position to speak for him and I do not intend to try.

Mr. Grossman: I have another question for the government House leader on the same issue. We are not asking him to speak for Mr. Fontaine;

we are asking him as the House leader for the government, in the absence of the Premier, to speak for himself and tell us whether the government, the Premier, or he as the government House leader, approves of those remarks or whether he dissociates himself from those remarks.

Hon. Mr. Nixon: I have not heard Mr. Fontaine's comments. The member who asked the question realizes that it is up to the electorate to return those people whom they select. There has never been a period of time in the 25 years I have been in this House that we have not been well represented by the francophone community across this province. I fully expect that will continue, whether the French-speaking and bilingual members represent the New Democratic Party members, the Progressive Conservatives or the Liberals.

2:30 p.m.

It appears from statements made by the two opposition parties that in this instance there will be only a Liberal candidate. I guess it is fair to say we expect him to be re-elected.

Mr. Grossman: The government House leader, in refusing to dissociate himself from these outrageous comments, introduces yet a new standard for the Ontario Liberal Party. This past week, his leader tried to make the point that if the voters of Cochrane North re-elect Mr. Fontaine, somehow he will not have committed any indiscretion in the financial disclosures. The government House leader took the position a moment ago that the voters of Cochrane North, by voting for Mr. Fontaine in an uncontested election campaign, can somehow certify these remarks. I do not believe the voters of Cochrane North will associate themselves, regardless of the outcome of that election, with those specific comments.

My question to the government House leader is a very simple one. Regardless of what happens in Cochrane North and regardless of what Mr. Fontaine says or does between now and the election, does the government House leader agree that someone who says something scandalously outrageous such as that ought to be sitting in the cabinet of Ontario?

Hon. Mr. Nixon: It is not my prerogative to name the cabinet. The Premier has made clear his position on that matter, and it was reported in the press as recently as today. There is no doubt in my mind that the meaning of Mr. Fontaine's words was not perhaps as terminal as the honourable Leader of the Opposition would

consider it. It is Mr. Fontaine's view that the initiative of the Progressive Conservative Party drove him out of his office and out of his seat. There is no doubt about that. Everybody must surely understand his sensitivity in an important matter such as that.

Mr. Grossman: I want to urge this upon the government House leader. We obviously understand his need to try to support, sustain and get re-elected a political comrade. We have also seen in this House instances where political parties, and particularly the leadership of political parties, have been able to separate their desire to get a colleague re-elected from the need to establish throughout the province a code of conduct and a message of decency and tolerance on issues that are related to ancestry, racial origin and a common sense of decency.

Will the government House leader, in the absence of the Premier, dissociate himself totally and completely from the remarks of Mr. Fontaine? Will he dissociate himself or will he not?

Hon. Mr. Nixon: It is my expectation that there will always be ample and competent francophone representation in this House from the various communities of Ontario. I feel sure that is going happen in Cochrane North as it has happened in the past. The democratic process is open to the two opposition parties to participate in as they see fit. It is not for me to pass judgement on any of my colleagues who state their views in an election campaign.

If the honourable member feels affronted that Mr. Fontaine is sensitive at having been attacked by a private investigator and at this material having been brought forward, I cannot help it.

Interjections.

Mr. Speaker: Order. Would the member for Brantford (Mr. Gillies) and the member for Cochrane South (Mr. Pope) control themselves?

NORTHERN DEVELOPMENT

Mr. Rae: I have a question of the Treasurer. First, I want to congratulate him for his Erik Nielsen imitation, and just hope he bears in mind what happens when that happens.

Before the Velcro proceeds to his brain, my question is with respect to the Rosehart report and the speech that was made this morning in Sault Ste. Marie. I have some very substantive questions about northern development. Can the Treasurer explain why the speech of the Premier (Mr. Peterson) today contained no reference to a permanent fund to be managed by northerners, no reference to resource planning agreements, no reference to gasoline prices, no reference to a

forestry institute, a mining foundation or a northern technology centre, no reference to a medical school, which I understand he completely ruled out, no reference to community adjustment funds and no reference to extended notice of plant closures? Can he explain why the government has not responded to the substantive structural recommendations made by the Rosehart committee?

Hon. Mr. Nixon: First, the announcements of government policy dealing with northern development are not yet complete. As Minister of Northern Development and Mines, the Premier intends to travel to a number of communities in the north during the next few weeks and indicate government policy as it is announced in those communities. I say to my friend, do not give up; there is more good stuff to come.

As for Dr. Rosehart's recommendations, I thought it was an excellent report. The members of cabinet have perused it, and I know members of the opposition parties have examined it carefully. The northern development fund is being speeded up by way of cash flows so its usefulness will be more immediate.

Before the Speaker brings the curtain down on me as far as time is concerned, I bring to the member's attention that this announcement has \$60 million worth of initiatives in the Sault-Wawa area and transfers 360 jobs from the central government in the Toronto area to northern Ontario.

Mr. Rae: I am sure the Premier will be dropping goodies in various announcements, but that is not what I had in mind. It may be the Liberal strategy, but it was thoroughly discredited when it was tried for 42 years. It has clearly been rejected in the north. I am surprised the Treasurer would think that is the route to go in northern economic development in the future.

Having relied on the lottery of private investment, it seems the government now is relying on the Ontario Lottery Corp. to solve the problems of northern development.

Can the Treasurer tell us whether the government has accepted or rejected the recommendations dealing with a permanent fund to be managed by northerners? I am speaking not of the old northern development fund but of a new fund, a capital fund that would be controlled and managed by northerners, the northern fund that was recommended in the Rosehart report and has been talked about widely and has been contained in private members' bills introduced by my colleague the member for Sudbury East (Mr.

Martel) and many others. Has the government accepted or rejected that recommendation?

Hon. Mr. Nixon: All the recommendations in the Rosehart report are under consideration; some have been accepted and already announced. It is difficult for me, as Treasurer, to determine the concerns of the opposition critics. On the one hand they feel too much money is being thrown at the north—those were the words used by the former Minister of Northern Affairs—and the leader of the New Democratic Party has somehow considered the Premier should not go to the north and make these announcements. That does not sound reasonable to me at all.

I believe it is very proper that the Premier, together with his senior ministers, should be in northern Ontario to make these announcements. That some people are cynical enough to associate this with an uncontested by-election indicates how bankrupt their views are.

Mr. Martel: The Treasurer reminds me of another House leader called Erik.

2:40 p.m.

Mr. Rae: It is clear the Velcro has extended at least to the Treasurer's ears, because what he has ascribed to our party is by no means what I have said today and it is not what any of our spokesmen have said on a number of occasions.

Can he specifically tell us whether the government has accepted or rejected the recommendations on gasoline prices and a medical school for northern Ontario?

Hon. Mr. Nixon: I thought the medical school matter was still under consideration. I was not present at the press conference in the Sault to hear the statement of the Premier. I can only take an indication from the member for Algoma (Mr. Wildman), who is a little more rational in his approach to this matter than his leader is, that the medical school has been rejected. I am surprised that is the case, but if the Premier has rejected it, the answer is yes. My own view and understanding of this was that all these matters were under continuing consideration.

The matter of gasoline pricing is being reviewed by the Minister of Energy (Mr. Kerrio), who is in northern Ontario at this moment accepting the views of northerners and giving them additional consideration on this important matter.

Mr. Rae: The Treasurer's pathetic attempt at flattery of the member for Algoma will get him nowhere.

Hon. Mr. Nixon: It might get that member back in the third row though.

Mr. Speaker: New question.

DOCTORS' FEES

Mr. Rae: I have a question for the Minister of Health about the apparent explosion of doctors now attempting to find a way to impose extra charges in the health care system by means of so-called administrative fees. I have given the minister copies of two form letters that have been distributed by two doctors to their patients, establishing very extensive fees, including a \$3 minimum fee for syringes and bandage materials, a minimum fee of \$5 for telephone prescription renewals and so forth. Is this emergence of tin-cup medicine something the government favours? If not, what does the government intend to do about it?

Hon. Mr. Elston: The issue of extra charges, in terms of administrative charges being levied for uninsured services, has been with us for some time. It predates the introduction and passage of Bill 94. It is the subject matter of an item with respect to information submitted to the profession by the College of Physicians and Surgeons of Ontario. I can tell the honourable gentleman I am concerned about it and have taken steps to meet with the college to inquire about the situation with respect to any increasing emphasis on these administrative charges, as the member has just set out here.

Mr. Rae: The minister will know that the long-standing policy of the government with respect to food has been that it would not allow the use of credit cards. There have been meetings between the Ministry of Consumer and Commercial Relations and the large food chains with respect to the use of credit cards for the purchase of food for the simple reason that it is the view of the government that people should not be forced to go into debt to buy the necessities of life.

I wonder whether the minister can tell us what he intends to do about what is an explosion in the number of doctors who are being encouraged by the Ontario Medical Association, as matter of OMA policy, to levy these administrative charges and to make them accessible through Chargex and Visa? What is the minister's answer to the question, "Will that be OHIP or Chargex?" Does he not think it is time the government started covering things through the Ontario health insurance plan and stopped forcing people into debt to get medical care in this province?

Hon. Mr. Elston: I can tell the honourable gentleman I have taken this series of reports with respect to items that are being charged for noninsured services with some concern because I

want to see what is happening. It is my indication that some of these items are occurring, and we are keeping a very close eye on what is occurring between patients and physicians. With that in mind, I have already contacted the college and indicated my desire to set up an appointment with the registrar to deal specifically with the concerns.

I request the members of the House to provide me with the information, as the honourable gentleman has done with respect to two physicians, about the types of charges that are being requested and required of patients as well as with respect to what demands are being made of the patients in relation to these types of letters in terms of the services being provided by physicians. If I can have the assistance of the members, it will help me when I meet with the college.

Mr. Rae: With respect to abortions, the minister knows it has already been more than customary for women to have to pay in advance before a doctor in a public hospital will agree to perform an abortion. This has already been clearly established in many instances. A great many women are reluctant to come forward to complain. What steps does the government intend to take to make sure women are not being forced to pay up front and are not being denied access to abortion services because of this perpetuation of cash, tin-cup medicine when it comes to services that are deemed to be medically necessary?

Hon. Mr. Elston: I am sure the member is aware that the Ministry of Health and the minister's office have initiated studies with respect to questions surrounding accessibility to abortion services. We have enlisted the support of a practitioner in the field to make inquiries about the manner in which we can deal specifically with questions that have caused difficulties relating to access. That matter is one of the items that will be discussed among the various people with whom she consults, and I will deal with the matter when she comes back to me. There is every concern with respect to ensuring that medically necessary procedures provided for under the OHIP schedule of benefits are made available to the people of the province without extra charges.

ABORTION CLINIC

Mr. Grossman: My question is on the very same issue; that is, on abortions. It is to the Attorney General and/or minister responsible for women's issues in that we would not like this

question referred. On June 24, just a couple of weeks ago, the Premier (Mr. Peterson) denied that he and his government had anything to do with the laying of charges against the Morgentaler Clinic and said there was nothing they could do to lay charges. Is that a correct interpretation of the Attorney General's role and influence over the state of affairs with regard to abortion clinics?

Hon. Mr. Scott: As I have indicated to the House before, the Metropolitan Toronto Police have authority to conduct an investigation into the Harbord Street premises or the new premises, which I believe are on Gerrard Street. When they complete that investigation, the process is for them to attend before a crown attorney to determine whether there is sufficient evidence to warrant the laying of a charge. I am advised that this process is not complete as yet and that they have not attended before a crown attorney.

Mr. Grossman: I want to read for the Attorney General the earlier remarks of the Premier on May 13, 1986. In response to questions about the Morgentaler Clinic and the Gerrard Street operation, the Premier said: "We will prosecute this under the law. We will use the power of the law not to allow free-standing abortion clinics." Again, "We will use the power of the law not to allow free-standing abortion clinics to exist." Those are the words of the Premier. If the Attorney General attempted a moment ago to give the impression that he and the Premier have no influence whatsoever over the laying of these charges, will he so indicate now so that we will know the Premier's earlier comments were totally irrelevant and misleading?

Hon. Mr. Scott: It is always the honourable member's desire to present two alternatives, neither of which is savoury, and ask one to select one of them. The reality lies somewhere entirely different. We have made it plain that as long as the federal law, which is within the custody of the Conservative Party of Canada at the moment, remains unchanged, we propose to authorize and have authorized, when required, the police to conduct an investigation. That investigation is not complete. When it is complete, we will have a statement to make on that subject.

2:50 p.m.

NORTHERN DEVELOPMENT

Mr. Wildman: I have a question of the Treasurer in relation to his statement and the announcements made in Sault Ste. Marie today. I refer him to pages 10 and 11 in the speech of the Premier (Mr. Peterson) in which he points out

that it is time to start solving the structural problems in northern Ontario's economy, to make northern Ontario more competitive, to diversify the economy and to make the north less dependent on volatile commodity prices and cyclically sensitive industries.

I refer him also to the statement by his colleague the Minister of Industry, Trade and Technology (Mr. O'Neil) in which he pointed out the same thing. On page 3 of his statement, he pointed out that he will be setting up an assistant deputy minister for northern industries in the Sault, who will study the existing studies and recommendations on the north.

Can the Treasurer explain how studying existing studies and commissioning new studies will actually do anything about the structural problems of the northern economy and make us less dependent on cyclically sensitive industries and commodity prices?

Hon. Mr. Nixon: I am concerned that the member may pass on to his constituents, who have a great deal of respect for his opinion, that this new assistant deputy minister will be doing nothing but studying studies. I can assure him that is not the case.

It simply means the Ministry of Industry, Trade and Technology is going to be represented in the north by an assistant deputy minister who will be able to assist and expedite northern Ontario development and other emanations of government and agencies that have the responsibility for decision-making in the north.

It will be a tremendous advantage for the people in the Sault-Wawa area to have a senior official established in the north to give that kind of leadership and the kind of assistance and service the area needed in the past.

Mr. Wildman: I do not know quite how to react to being accused by the Treasurer of being rational and having a lot of respect in Algoma. Ignoring that, can the minister please explain what in any of these statements, by the Premier, the Minister of Industry, Trade and Technology, the Minister of Energy (Mr. Kerrio) or the Minister of Tourism and Recreation (Mr. Eakins), actually deals with the structural problems of the north? We have had responses to the reports in specifics, and we have had money dropped into the area, but what deals with the major structural problems?

Hon. Mr. Nixon: Essentially, I think the response to the Rosehart committee and to the recommendations of the standing committee on resources development that we move either

ministries or segments of ministries to the north is the most valuable announcement today.

I am glad we have an assistant deputy minister locating there. I am also glad \$60 million has been allocated and announced by the Premier for the Sault-Wawa area.

Miss Stephenson: It is not all for the Sault and Wawa.

Hon. Mr. Nixon: Yes, it is.

Miss Stephenson: No, it is not.

Mr. Speaker: Order.

Hon. Mr. Nixon: All right. Just from my point of view, the idea of decentralizing the business of government, particularly for those agencies that deal with the forest industry and with northern affairs in general, has to be valuable and will have a long-term effect on the economic structure of that community.

Mr. Speaker: The member for Lincoln (Mr. Andrewes). I am sorry; the member for Brampton (Mr. Callahan).

Interjections.

Mr. Callahan: I will wait until the other side cools down. It is their time; if they want to continue, that is fine.

INVESTMENT IN THE ARTS

Mr. Callahan: I want to direct my question to the Minister of Citizenship and Culture. Brampton is very active in the arts, and after the inactivity in funding in the past by the previous Conservative government, I have received word from a few of my constituents that a program has been instituted. I want to inquire of the minister whether a program has been instituted and the details of that program.

Hon. Ms. Munro: I thank the member for his question. Many of our programs are aimed at the needs of smaller communities. The last program we instituted, called Investment in the Arts, is placing \$10 million in three years to give communities the opportunity to have their arts organizations get more support from the business and corporate sector.

There is an information program currently in existence, and we will be travelling to the member's region. I will give him the information on when those visits will occur. If an arts institution can show us proof over a base level that it is able to get business and corporations showing an interest and giving donations, we will match that funding dollar for dollar. We will also match new business organizations that have not given money in the past four years two to one.

Mr. Callahan: Peel region is currently refurbishing its 125-year-old jail as the Peel regional art gallery. I want to ask the minister whether any funds will be made available for that.

Hon. Ms. Munro: I am more than happy to receive comments from any of the members in this Legislature, as everyone knows. I will take a look at that question, and perhaps we can get together after question period.

EXTRA BILLING

Mr. Andrewes: My question is to the Minister of Health. The survival of a world-class in vitro fertilization unit at the Toronto General Hospital is at stake. The minister's obstinacy about Bill 94 means that both the clinical success and the research that is going on at this clinic may be lost. What is he going to do about his commitment to health care accessibility?

Hon. Mr. Elston: If the honourable member is speaking specifically about the program at the Toronto General, I can tell him it was funded on the same basis as the other programs at hospitals that have similar programs. It was decided in April that the procedures would be covered under global budgets provided to the hospitals. Laboratory tests and other items involved in making the substantial progress in this area of health care available to the people of the province are covered under the global budgets.

I do not know whether the member is referring to an article that appeared in the press as to how many secretarial staff or whatever each individual position might have, but the bulk of the costs in this procedure are covered under the global budget that was worked out in April 1986.

Mr. Andrewes: The minister knows skilled physicians cannot continue to sacrifice their time and their livelihoods to perform procedures in these clinics for which they are reimbursed at well below a realistic value. Health care is the minister's job, and Bill 94 has slammed the door shut on this service. What answer can the minister give the hundreds of couples who are waiting on lists across this province for access to in vitro clinics? Can he offer them any hope at all?

3 p.m.

Hon. Mr. Elston: In fact, hope was offered to them because we decided we would fund the procedures. The most expensive portion of the procedure was the large amount of laboratory work and time required to do the work for in vitro fertilization. We have offered them hope and we

have continued to provide them access to the in vitro fertilization program. We continue to offer that hope with respect to amounts of money referred to under the schedule of benefits or whatever can be billed by a physician. Those items are established under joint workings of the Ministry of Health and the Ontario Medical Association in setting tariff items or whatever.

I will be pleased to look at any item the member may wish to bring forward, but the bulk of the expenses with respect to the in vitro fertilization procedure is related to services provided inside those hospitals and provided for out of the global budgets. If the honourable member wants information about research, off the top of my head, we fund a couple of very important pieces of information about reproductive immunology, in particular information about what will be needed so that we can make the program perform better in Ontario. I think we have done a very good job making this program available to the people of Ontario.

PRISON FACILITIES

Ms. Bryden: I have a question for the Minister of Correctional Services. A week ago, I visited the young offenders' unit at the Vanier Centre for Women. I was shocked to find 45 young people aged 16 to 18 housed in a prison cottage designed for 24 inmates. This means double-bunking in all rooms and a common room and eating facilities planned for half the population. While I know the minister and the Vanier centre staff are trying to cope with this unfortunate situation as best they can, will the minister tell us what plans he has for ending this overcrowding as soon as possible?

Hon. Mr. Keyes: We have very elaborate plans for ending the overcrowding. Had the newspaper article written a week ago carried the story we gave to the reporter, that would have been made known. This afternoon we will be reviewing again in committee the entire plan of young offenders' facilities. We are then sending it on to Management Board, as we did with our original corporate plan. It gives the full details of the facilities to be acquired from other ministries, the renovations to be done and the opportunity to provide adequate housing for all those in our care.

Ms. Bryden: The minister has not told us his timetable for overcoming this overcrowding. I had an opportunity to discuss the conditions at Vanier at a house meeting of inmates and staff. While both inmates and staff did question some of the statements in the Toronto Star article to which the minister refers, they did agree there

was a need for more opportunities for exercise, a quiet room for reading, other than a locked cell with a roommate, and a games room. Some also wanted a nonsmoking common room. Will the minister consider changes in the facility and rules which will meet these concerns immediately and look at his long-term plans?

Hon. Mr. Keyes: We are always prepared to look at anything. In fact, we have just accepted an offer from a church. It is giving us a free chapel, a very fine portable unit, that we are going to establish on the grounds of Vanier. It could meet some of those conditions. As far as the timetable with regard to our renovations and other acquisitions is concerned, we have set that they are to be done in 1986. It will be dependent upon the approval of Management Board and cabinet to make the funds available.

WORKERS' COMPENSATION BOARD

Hon. Mr. Wrye: Yesterday the member for Bellwoods raised in the House the case of two nurses who allegedly were improperly discharged from the Workers' Compensation Board's rehabilitation centre in Downsview. The information I have is as follows: The two nurses were both admitted in late May. They had been off work for some time. They received full examinations, including examinations by a senior orthopaedic consultant, during their stay. All examinations and X-rays showed negative, showed no residual problems and showed they could be discharged and returned to full duty.

The discharge procedure commenced. At that point, they attempted to get in touch with the nurses but were unable to do so. The nurses were not staying in the hospital. When the nurses were finally located, they refused, when offered, the opportunity to be involved with the attending physician on discharge. In short, the discharge had nothing to do with the leafletting the nurses carried out. Indeed, the discharge procedure had already commenced when the leafletting took place.

Mr. McClellan: If I may put it charitably, the minister's information is radically different from the information that has been provided to me by the counsel for the two nurses. Since we have this major disagreement on the basic facts of the case, perhaps the easiest solution is to ask the minister to make sure that the full file on the two nurses is provided to their legal counsel. I can provide the minister with the name of the legal counsel. Then we can actually see who is telling the truth here.

Hon. Mr. Wrye: I already have the name of the counsel, who received a letter from Dr. Elgie

dated in late June. If there are matters at variance, I am sure they can be looked into.

I have discussed this matter at some length with individuals who were there and I am quite satisfied the matter is as I reported it to the member and to the House.

Mr. McClellan: Are you refusing to release the file?

EXTRA BILLING

Mr. Stevenson: I have a question for the Minister of Health. The people of Uxbridge and its hospital board hold the minister and the Premier (Mr. Peterson) responsible for the loss of obstetrics at the Cottage Hospital. What will the minister do to return this service to this growing community?

Hon. Mr. Elston: When this item was raised last week in a question to the Premier, I had already spoken with the chairman of the board there, and certain suggestions were being made with respect to what might be done to assist in re-establishing a specialist in the area. It should have been noted that by that time at least two deliveries had been made since the particular specialist had made a decision not to drive into the area to review special cases. As I understand, at the moment there is a referral of those obstetrical cases to the hospital in which the specialist himself does most of his work. I have had conversations with the chairman of the board and I am looking into some of the suggestions he has made to me.

Mr. Stevenson: Will the minister give the Cottage Hospital funding for an honorarium for a chief of the obstetrics department so that women of child-bearing age can have their children in their local hospital once again?

Hon. Mr. Elston: On the question of making arrangements with respect to practitioners wanting to work out of facilities, these are always received by me with a review of the willingness of the board to respond to those needs as well. If the board wishes to put a particular proposal to me with that in mind, to provide a salary for a particular person to become chief or whatever, I am willing to consider that.

As the honourable member knows, the hospitals themselves make decisions with respect to how they allocate their global budget dollars. When they come to me with proposals that they wish to make a certain allocation of money towards certain programs, I am willing to receive their advice and information. The chairman of the board has been very helpful in advising me with respect to some of the thoughts he has had in

discussing matters informally with other members of the community. However, I have not received any formal requests, nor have I spoken to the specialist with respect to whom the arrangement might be undertaken, to see whether he wishes to receive a salary on that basis.

3:10 p.m.

RENTAL ACCOMMODATION

Ms. Gigantes: My question is to the Minister of Municipal Affairs. As part of the government's assured housing policy, the minister sent a nice letter to local committees of adjustment and to the Ontario Municipal Board asking both bodies to consider the provision of affordable rental housing in Ontario when considering applications for the severance and private sale of row rental housing.

The minister is aware that on June 27 the Ottawa committee of adjustment told the minister, in its judgement, severance for nine units in the Carlington Park area should go ahead, that he did not have the right policy and that he should be amending the Planning Act.

What is the minister going to do to ensure that we can continue to have affordable rental row housing in Ontario?

Hon. Mr. Grandmaitre: The member is quite right. The Ottawa committee of adjustment turned down my request. I had written to every committee of adjustment in this province asking them to consider, to protect the rental housing stock. However, the city of Ottawa committee of adjustment chose to disagree with me for a number of reasons. At present, I have the option of referring the matter to the OMB, but the ministry and I are committed to protecting the rental housing stock.

Ms. Gigantes: How is the minister committed? Does he mean he is appealing this case to the OMB? What is he going to do to ensure that the 24 units which likely will be severed by the Ottawa committee of adjustment next week will not be severed?

Hon. Mr. Grandmaitre: I have no definite guarantee. I am sure the honourable member is not expecting me to give her a guarantee today. I am sure of that. I must restate my commitment to rental stock. Until Bill 11 is accepted in this House, my only recourse is through the OMB, but my commitment is still there.

PUBLIC COMPLAINTS LEGISLATION

Mr. Callahan: My question is directed to the Attorney General, who introduced a statement into this House which is of considerable impor-

tance to me and my constituents. He indicated there would be—

Mr. Martel: The member will get into the cabinet that way. Just keep hammering.

Mr. Andrewes: The designated ham from the back row.

Interjections.

Mr. Speaker: Will the member take his seat and we will wait until—

Mr. Gillies: Come on, guys.

Mr. Speaker: Order.

Mr. Callahan: Some time ago, the Attorney General introduced in this House a statement that citizens' complaints boards would be set up in municipalities on a local option basis. First, does the Attorney General anticipate that enabling legislation will be available this session and, when it is available, what will be the structure of the anticipated boards?

Hon. Mr. Scott: I am embarrassed to tell the honourable member that the bill was introduced about a week ago. The structure that is contemplated by the bill, as the statement in support of it revealed, is that municipalities wishing to avail themselves of a complete police complaint mechanism can opt in by resolution of their municipal councils and with the approval of the executive council.

Mr. Callahan: I congratulate the Attorney General on being so swift in introducing the bill.

By way of supplementary, does the Attorney General consider there would be any difficulty in the case of regional councils, if that is the body to which it is to be directed, in terms of their members sitting on that commission in the light of the fact that most regional councils are the employers of the police departments and pay their salaries?

Hon. Mr. Scott: The provisions of the proposed act state that the municipality in charge of police administration in the municipality will be the one that will pass the resolution required to opt in. If the regional municipality is in charge of police administration, as is the case in Metropolitan Toronto, for example, that will be the municipality that will opt in.

Mr. Speaker: The member for Mississauga East.

[Applause]

Mr. Gregory: I know it is a refreshing change and deserves applause after the remarks of the member for Brampton (Mr. Callahan).

URBAN TRANSPORTATION DEVELOPMENT CORP.

Mr. Gregory: My question is to the Minister of Transportation and Communications. It has been more than five months since negotiations began to dispose of the Urban Transportation Development Corp. The delay clearly indicates that one of the two parties involved is totally dissatisfied. Can the minister tell the House how many contracts UTDC has secured since that time?

Hon. Mr. Fulton: I do not believe that either party is dissatisfied since I indicated clearly and often in this House that it is a very complicated organization. I assure the honourable member that we are attempting to maintain all the principles that were very clearly established by the Premier and by me a number of times, when being questioned in the House. The business is going on. We are very close to signing certain deals. The member is aware of the expansion in British Columbia. He was there to see the system. We are very close to a deal with the state of Florida at present.

Mr. Gregory: To assist the minister, he has not completed any deals. He lost one in New York to another company as recently as two weeks ago because of his diddling around. I do not know how long he will be diddling around with this thing. It is becoming very evident that the Liberal government possesses neither the skill nor the expertise necessary to negotiate a sale of this magnitude.

This repeated mishandling of the sale of UTDC has produced major difficulties and serious financial losses for the corporation. Can the minister confirm this is indeed the case and, if so, is it also true that Lavalin is now offering a considerably lower price than that announced by the minister some months ago?

Hon. Mr. Fulton: The fact that the order in New York was not secured had nothing to do with the sale. It was the simple fact that of four bidders, UTDC happened to be the second lowest. It was straight economics in the city of New York.

As stated by Mr. Foley, the president, who was appointed some time ago by the Progressive Conservative government, the most critical loss to UTDC was the cancellation of the GO advanced light rail transit system.

CONTROL ORDERS

Mrs. Grier: In recent weeks, the Minister of the Environment has received considerable sup-

port for his announcement of a program designed to improve water quality. It appears that the way in which the municipal-industrial strategy for abatement works is the same way the old system works. The minister has the discretion either to lay charges for violations of the law or to work out a control order.

Can the minister explain how his control orders, negotiated privately between the company and the ministry, will be any more effective than the control orders of the past that were used, or misused, to delay cleanup?

Hon. Mr. Bradley: I cannot speak for the control orders of the past because they were negotiated perhaps in a different procedure. In negotiating control orders, we have a new open process so that the public has an opportunity to make representations. There have been a number of circumstances where a notice has been put in the paper; an initial meeting has been held where people can come and hear what is proposed and make known their views; and then, taking into account the viewpoints of the public and the person or company to be controlled, a final control order is brought forward for comment by environmental groups, the general public, the company and so on. After that the control order is finalized.

With the type of public input and sensitivity to environmental issues that exists today, we feel the concerns the member justifiably expressed about past experiences will dissipate.

3:20 p.m.

Mrs. Grier: Regardless of the way in which the control order is negotiated, I am sure the minister will agree that once the control order has been finalized, it gives the companies immunity from prosecution. It can be extended for years without significant progress towards cleanup. We have seen that in the case of many pulp and paper companies. Once the standards are set and become law, why will the minister not automatically lay charges and prosecute for violations of that law instead of shielding the companies by allowing the use of control orders?

Hon. Mr. Bradley: The honourable member will be aware that it is not the intention of this minister or this government to shelter anyone who is in violation of the environmental laws of Ontario. The control order system can be very effective, as can prosecution. The member will recognize that, as always, the ministry wants to choose those tools which will be most effective in protecting the environment. When we feel the best tool is prosecution, for instance, when there is a violation of a law, our investigation and

enforcement branch goes into action and proposes charges where there is sufficient evidence.

The member will note that often, as a result of the new penalties package, as part of the penalty the Ministry of the Environment may suggest to a judge remedial action to ensure that the violation does not reoccur or that there is sufficient mitigation of the damage.

We will use the most effective manner of protecting the environment in this province.

RELEASE OF REPORT

Mr. Stevenson: I have a question for the Minister of Agriculture and Food. He has had the report of the Agricultural Council of Ontario for some months and a summary well prior to that. When will he make that report available to other people in the agricultural industry in this province?

Hon. Mr. Riddell: I received a final copy of the report about a week and a half ago. The report is currently before my staff, who will be reporting to me on the recommendations found within it. We will also meet with the farm organizations, the Ontario Federation of Agriculture, the Christian Farmers Federation of Ontario and the National Farmers' Union, to discuss the report with them, following which we will make it available.

If the House is still sitting, I will make it available in the House. If it is not sitting when I am ready to make it available, the report will be made available to the news media.

Mr. Stevenson: It is quite common knowledge on the street that the minister has had this report, or something very close to the final report, for about three months now. Why has he made no statement to the agricultural industry in that time?

Hon. Mr. Riddell: We received an interim report some time ago, but it did not have recommendations. The final report, which has recommendations, was not given to me until about a week and a half ago. My staff are currently reviewing it and will be reporting to me. We will talk it over with the farm organizations, and I will be making it available to the public.

EXPOSURE TO ASBESTOS

Mr. Martel: I have a question for the Minister of Labour. In the case of the courthouse in Middlesex, if the young woman who was dismissed had been advised by the Ministry of Labour that she did not have a case; if, as we now suspect, the asbestos was in the ventilation

system; and if the ministry knew about the asbestos in that building for six years, why should anyone believe the Ministry of Labour is sincere when it makes announcements that the work place is safe when we find out all these facts? How can we believe what is going on in that case in London?

Hon. Mr. Wrye: Very briefly, the honourable member will want to acknowledge it has been well known by us, by the workers and by the Ministry of Government Services that there has been asbestos in the building for the past six years. That is very clear. It was indicated that if there was any attempt made to disturb the asbestos, at that point a control program would need to be put into place.

I have only recently learned of the dismissal of the worker. I understand the ministry has taken special action to alert her of her rights. The dismissal followed a finding that the situation in her case was not likely to endanger. I have already begun to make inquiries based on the member's statement today that the asbestos is in the ventilation system and I will be making those inquiries as quickly as I can.

BASEBALL GAME

Mr. Breaugh: On a point of personal privilege, Mr. Speaker: There is a conspiracy of silence in the press gallery today. Last night on the playing field of the University of Toronto, the forces of goodness and truth defeated the press gallery soundly in a game of softball and not one word has been carried in the media all day long.

Mr. Speaker: Thank you for the point of information.

TABLING OF INFORMATION

Mr. Bernier: On a point of order, Mr. Speaker: On May 22, I placed a question in Orders and Notices. On June 30, I had a response from the Attorney General (Mr. Scott) that the response would be tabled by June 30. It is now July 8 and I still not have received a response. What are the rules and regulations of the House with respect to getting questions answered that are placed in Orders and Notices?

Mr. Speaker: I believe you outlined very closely what the rules are. They are in the standing orders. They are to be placed in Orders and Notices and the minister has the opportunity to respond. If he cannot respond then, he can advise you when he can. I am sure the minister heard your point of order.

PETITIONS

ROMAN CATHOLIC SECONDARY SCHOOLS

Mr. Callahan: I have a petition signed by a number of people from my riding. It reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"As members of the St. Mary's Catholic Women's League in Brampton, we would like to declare our support of Bill 30 as presented in the Legislature in July 1985, including the stipulation to hire for the next 10 years public secondary school teachers displaced due to the completion of the Catholic system.

"We are not, however, in agreement with certain amendments being considered in the Legislature at the present time with regard to hiring procedures, exemption from religious studies and accommodation problems. We would urgently request the government to consider our view that these amendments would have a detrimental effect on Catholic education."

SALE OF BEER AND WINE

Mr. McGuigan: I have a petition from the employees of Zehrs Markets in Blenheim, Tilbury and in Blenheim. There are some 43 names protesting the idea of beer in grocery stores.

Mr. Villeneuve: I also have a petition from Loblaws grocery department, 1360-2nd Street, Cornwall, Ontario, which reads as follows:

"To the Honourable the Lieutenant Governor of Ontario and the Legislative Assembly:

"We, the undersigned, wish to express our objection to you as our elected representative to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store.

"This practice would discriminate against our customers who choose to shop here of their free choice for reasons we believe we have contributed to. This practice would discriminate against us by encouraging our customers to shop elsewhere. We believe we work hard and conscientiously for our customers and intend to do so for beer and wine as well as for any other products we sell, including many strictly regulated products. We object to any government action which jeopardizes our jobs and earnings by manipulating free consumer choice.

"We believe we have earned the right to be respected for the way we do our work. We

demand that if legislation is passed permitting beer and wine to be sold in grocery stores, our grocery store be given the same permission."

Mr. Speaker: I remind all members that it is sometimes difficult to hear other members speak when there are so many private conversations.

Mr. Turner: I have a similar petition to the Honourable the Lieutenant Governor of the Legislative Assembly of Ontario, signed by 106 employees of store 724, Lansdowne Food City, by 86 employees of store 701, Brock Food City and by 55 employees of Loblaws Supermarkets, Superstore warehouse division, store 202, all in Peterborough.

3:30 p.m.

Mr. Callahan: I have another petition, which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"As concerned citizens and employees of supermarkets in the Brampton area, we understand that the government of Ontario plans to introduce legislation to permit the sale of some beers and wines in Ontario grocery stores and that this may be confined to so-called independent stores.

"As supermarket employees, we feel that our jobs may be jeopardized by this action and urgently request the government of Ontario to include supermarkets in their designation of grocery stores if such legislation be passed to permit beer and wine sales in same."

Mr. Leluk: I have a petition signed by 28 employees of the Miracle Food Mart store at 120 Eringate Drive in Etobicoke and a second one signed by 15 employees of the Miracle Food Mart at 5555B Dundas Street West in Islington. They read:

"We, the undersigned, wish to express our objection to you, as our elected representative, to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store."

This is in relation to the sale of beer and wine in grocery stores, which the government of Ontario is proposing to introduce legislation some time in the future to permit in this province.

Mr. Hayes: I have a similar petition dealing with the subject of beer and wine in Ontario grocery stores, which reads:

"We, the undersigned, wish to express our objection to you, as our elected representative, to

any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store.

"This practice would discriminate against our customers who choose to shop here of their free choice for reasons we believe we have contributed to. This practice would discriminate against us by encouraging our customers to shop elsewhere. We believe we work hard and conscientiously for our customers and intend to do so for beer and wine as well as for any other products we sell, including many strictly regulated products. We object to any government action which jeopardizes our jobs and our earnings by manipulating free consumer choice.

"We believe we have earned the right to be respected for the way we do our work and we demand that if legislation is passed permitting beer and wine to be sold in grocery stores, our grocery store be given the same permission."

This is signed by 40 employees of the Zehrs Market in Belle River.

Mr. Grande: I have three similar petitions regarding beer and wine in Ontario grocery stores. I will read one and then I will put in the other two petitions.

"We, the undersigned, wish to express our objection to you, as our elected representative, to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store.

"This practice would discriminate against our customers who choose to shop here of their free choice for reasons we believe we have contributed to. This practice would discriminate against us by encouraging our customers to shop elsewhere. We believe we work hard and conscientiously for our customers and intend to do so for beer and wine as well as for any other products we sell, including many strictly regulated products. We object to any government action which jeopardizes our jobs and earnings by manipulating free consumer choice.

"We believe we have earned the right to be respected for the way we do our work. We demand that if legislation is passed permitting beer and wine to be sold in grocery stores, our grocery store be given the same permission."

This petition is signed by 90 employees from the West Side Food City, 2400 Eglinton Avenue West.

The second petition is from the Loblaws supermarket at 1951 Eglinton Avenue West, and it is signed by 25 employees. The third petition is

signed by 29 employees from the Rosebury Square Food City of 145 Marlee Avenue.

NATUROPATHY

Mr. Callahan: I have another petition that reads:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"As concerned citizens of Brampton, we heartily endorse and support the concepts and philosophy of naturopathic medicine and, in accordance with our constitutional rights, we urgently request that we have available and be able to choose the health care system of our preference.

"We request the government of Ontario to ensure that naturopaths of this province be guaranteed the right to practise their art and science to the fullest without prejudice or harassment."

REPORT BY COMMITTEE

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Reville from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Community and Social Services be granted to Her Majesty for the fiscal year ending March 31, 1987:

Ministry administration program, \$29,075,300; adults and children's services program, \$2,434,681,600; and

That supply in the following supplementary amount and to defray the expenses of the Ministry of Community and Social Services be granted to Her Majesty for the fiscal year ending March 31, 1987:

Adults' and children's services program, \$22,564,200.

ORDERS OF THE DAY

Hon. Mr. Nixon: I would like to call order 32, the Wine Content Act; by agreement, not by mistake.

WINE CONTENT AMENDMENT ACT

Hon. Mr. Kwinter moved second reading of Bill 97, An Act to amend the Wine Content Act.

Mr. Andrewes: As the critic for wine, I want to indicate to the minister that we will be supporting this amendment bill. The act simply extends what is currently in place and allows the

Ontario industry to improve its quality of wine by permitting it to import a designated quantity of wine and wine concentrate from other jurisdictions while better varieties of Ontario grapes are being developed domestically.

The industry has gone through quite a transformation as a result of initiatives of previous governments and, indeed, of the current government. I am sure this move will be supported and endorsed by all members who represent those jurisdictions, including the precincts of St. Catharines and area, in which that fruit of the vine is grown.

There is one matter I want to address to the minister. It is of concern to the growers of grapes in Niagara and southwestern Ontario. It is that the extension of this act should not allow the wineries, which are the primary purchasers of raw grape product in Ontario, an opportunity to get off the hook in terms of the purchase of the domestic crop.

This industry is recognized by its confrères around the world as a valued and high-quality producer of wine. As it moves towards improved maturity and status, which it has gained during the years, the wineries in Ontario need to remain conscious of the need to work with growers to develop a greater content of Ontario grapes in Ontario wine and a goal that all Ontario wines eventually will contain only Ontario grapes.

3:40 p.m.

As the regulations under this act are drawn and addressed by the government, I hope the government, the minister and the Minister of Agriculture and Food (Mr. Riddell) will show a degree of firmness in dealing with both parties involved, the wineries and the growers, to make sure that Ontario-produced grapes of similar type and quality as those that might be imported are purchased in total from the 1986 crop.

Mr. Breagh: We have been left with firm instructions by the member for Welland-Thorold (Mr. Swart) that we are to be supportive of the bill, and of course we are, and of any other attempts on the part of the government to foster our domestic wine industry, to enable it to prosper and do well for the people of Ontario. We will support this bill.

Hon. Mr. Kwinter: I assure the House that the regulations still can be altered; and notwithstanding the fact that we hope to pass the bill, this will not shut out any negotiations between the wine growers and the wineries. We have given them our commitment that the regulations will be altered to reflect any agreement they reach subsequent to this bill.

Motion agreed to.

Bill ordered for third reading.

REPRESENTATION ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 77, An Act to revise the Representation Act.

Mr. South: I believe the Ontario Electoral Boundaries Commission has erred in regard to the proposed changes to the riding of Frontenac-Addington. The commission's reasons for the changes indicated in the second report were in error and were contrary to the instructions of this House. The final report is more inconsistent and accomplishes none of the stated advantages of the first two reports.

To salvage some logic and provide a better balance for the riding of Frontenac-Addington, the new boundary, as it pertains to Pittsburgh township, at least should be made to conform with the federal boundary. This would ensure that the more rural part of the riding is not included in the riding of Kingston and the Islands. In this regard, I would like to introduce an amendment that the easterly boundary of Kingston and the Islands in Pittsburgh township should be made to coincide with the existing federal boundary.

The Deputy Speaker: I trust the member does not believe he can make this motion now. Any amendment will have to be made in committee of the whole House.

Mr. South: Oh.

The Deputy Speaker: Does the member wish to carry on with his speech, or was he finished?

Mr. South: I am finished, but I will be introducing that amendment.

Miss Stephenson: I have a question. Given the specific concern expressed by the member for Frontenac-Addington (Mr. South), does the government House leader's position of yesterday remain unchanged?

Hon. Mr. Nixon: The member is asking a question?

Miss Stephenson: May I not ask the government House leader a question?

The Deputy Speaker: No. The member will address her questions or comments to the member for Frontenac-Addington.

Miss Stephenson: The member for Frontenac-Addington is aware that his House leader has suggested strongly that it would be inappropriate to introduce amendments to the

report of the commission except for minor things, such as name changes and boundary changes, that do not involve great population shifts. The question I have to ask is whether the amendment the member is proposing involves a major population shift.

Mr. South: The proposed boundary change would involve a shift back to the riding of Frontenac-Addington of approximately 800 persons.

Mr. Rowe: I rise this afternoon to address Bill 77, An Act to revise the Representation Act, and how it will affect my riding of Simcoe Centre. I have some concern about the proposed change to the boundary line of Simcoe Centre running south on Highway 27, which places the village of Cookstown in the bordering riding of Dufferin-Simcoe.

I have had lengthy deliberations with the residents of Cookstown, and they agree with me that keeping a uniform boundary line would create less confusion for them. As well, my colleague the member for Dufferin-Simcoe (Mr. McCague) has no objection to Cookstown remaining in the riding of Simcoe Centre.

For as long as one can recall, Cookstown has voted in the riding of Simcoe Centre and, by and large, its people do not wish to be moved. I respectfully request that consideration be given to keeping Cookstown within the boundaries of Simcoe Centre.

Cookstown has always been associated with the rest of my riding. The residents of the township of West Gwillimbury have always done their banking and shopping in Cookstown. Since the early 1900s, Cookstown has serviced the western half of the township of West Gwillimbury and the southwestern part of the township of Innisville. They have always relied on Cookstown as part of the community.

I talked to the residents on the main street of Cookstown last weekend, and they cannot understand why such a change is necessary. They believe they live in a democratic country and cannot understand why such a boundary change is being made with respect to Cookstown. They do not want it, and they cannot understand why is being placed upon them, especially since I as their member do not want such a change either.

In rural Ontario, politics is a very important part of the life of the residents. Although it may seem to be a matter of paper change to the members of the Ontario Electoral Boundaries Commission, it is a much more serious adjustment to the lives of the constituents of the village of Cookstown. It is a major political change in

their lives, a major adjustment which, after several years, they do not wish to make.

It is much more than a paper change on a map to the residents of Cookstown. These residents, for as many as four generations, have always lived and voted in this riding and do not understand the necessity for such a change, any more than I understand the necessity to take Cookstown out of Simcoe Centre. Surely, for a mere population of 1,027, it could not have a drastic effect on the Ontario Electoral Boundaries Commission or on the outcome of an election, but it does have a substantial effect on the constituents of the village of Cookstown.

Cookstown is a proud community that is not against change or progressive thinking. However, the constituents of Cookstown, like all other constituents in this great province, are most adamantly opposed to change for the sake of change. Because the request of the residents of Cookstown will, in essence, have no effect on the electoral boundary changes in the province, I cannot stress strongly enough to the Ontario Electoral Boundaries Commission the detrimental effect such a boundary change will have on the constituents of Cookstown.

I urge the commission to give every consideration possible within its power—and I know it is within the power of the commission to grant such a minimal request—to leave the village of Cookstown where it belongs, at home in the great riding of Simcoe Centre.

3:50 p.m.

Mr. McCague: I want to endorse most of what the member for Simcoe Centre (Mr. Rowe) has said, but I do not want to leave any impression that I am happy to see Cookstown stay where it is. I would be happy to have Cookstown in my riding, and I would like him to convey that to the people of Cookstown should the government House leader not be able to accommodate the request set out by the member for Simcoe Centre. Traditionally, Cookstown has been in his riding and I suggest that is where it should stay, but I would welcome Cookstown to my part of the riding if that is the will of the House.

Mr. Rowe: Let me assure the member for Dufferin-Simcoe that in my travels this weekend and from talking to the constituents in Cookstown, I found many of them expressed the opinion that although they do not wish to change, if change is inevitable and they have to move, they will be more than happy to know they will be served by such a great representative as the member for Dufferin-Simcoe.

Mr. Hayes: I see the need to add more representation in the province to represent the constituents better, but I have a problem understanding the rationale of the commission, first, in accomplishing the goal of adding more representation by going down to the southwestern part of this province and destroying or tampering with some of the ridings, especially Essex North. I do not know why it had to interfere with the rural area to accomplish better representation.

Some time ago, before the last mapping was done, the member for Essex South (Mr. Mancini) and I both argued against the mapping pertaining to Essex North and Essex South, because we both felt Essex county was going to end up with one representative instead of two. It happens that the member for Essex South was concerned about losing the town of Leamington, which he considers his stronghold. The member indicated he would probably run in Kent-Elgin, where Leamington would be. That would have had two Liberal incumbents contesting the nomination for that riding, and I do not think the party wanted to be in that position.

The member for Essex South got his way. He got Leamington back, and along with that, someone saw fit to give him another part of Essex North, Gosfield North and the town of Essex. I know members of the Liberal Party will probably get up and say they have not influenced the commission, but it appears to me that they have.

It seems there is a bit of a problem down there. The Liberals held Essex North for a great number of years, about 34, and they found it very hard to accept that a New Democrat had won that seat. We made some Liberals in that area rather uncomfortable, and I think the Liberal Party has influenced this commission. I know its members will deny that, but it appears that way to me.

I do not see any sense in taking the town of Tecumseh, the township of St. Clair Beach, the town of Essex, the township of Sandwich West and the township of Gosfield North, all of which are in the county of Essex, and adding some of them to a city type of riding. I do not see any rationale there at all. I feel the ridings in the southwestern part of Essex county and the city of Windsor should not have been tampered with. There is enough population and area there to provide for five members: the three city members and the two county members.

Bill 77 will probably pass—I do not want to leave the wrong impression here—even though I do not think it makes any sense to take a riding that is approximately 20 miles long and stretch it out to 72 miles. We are talking about getting

more representation for the people but we are actually making it a little rougher for the members to represent their constituents.

Some people did not feel the member for Essex North would get elected in the first place. If this bill goes through, I am looking forward to extending good representation to the people in the new part of the riding, which will be called Essex-Kent.

I reiterate that I do not feel the redistribution was fair. I wish the government would take a look at that and leave the boundaries of Essex North, Essex South and Windsor as they were.

Mr. Mancini: The honourable member made some accusations about the Liberal government. It is my understanding that Tecumseh and St. Clair Beach will be going into the riding of Windsor-Riverside. At present, that riding is represented by a member of his own party, the New Democratic Party. Is the member making the same accusations about us to his own member?

Hon. Mr. Wrye: I had an opportunity to listen to the remarks of the member for Essex North (Mr. Hayes), and I take some offence at them. For the record, I ask the honourable member to confirm it was his understanding that the position taken by this party in the hearings before the Ontario Electoral Boundaries Commission after the first report was that the county of Essex ought to have five ridings; it ought to have the three Windsor ridings and retain its two Essex ridings. That position was carefully considered by the commission and was dealt with quite explicitly in its second report. It was rejected on the basis of lack of population.

Does the member not accept the viewpoint that this party made it very clear to the boundaries commission that there should be five seats? Only after the commission rejected that position, which I believe was taken by all three parties, was some effort made to bring some sense to the boundaries as they exist. Frankly, if we are not to have five ridings in Essex county—and that remains my desire today—then the boundaries that have been pointed out are probably the most sensible arrangement that could be found.

4 p.m.

Mr. Hayes: In reply to the member for Essex South, the mapping prior to the last one took the town of Tecumseh, the village of St. Clair Beach and the township of Sandwich West out of the riding. As I mentioned, the member for Essex South was not here.

Mr. Mancini: I was watching the member on TV.

Mr. Hayes: Good; I am glad. The point is that the member for Essex South and I were not satisfied with the mapping before the last one. It was rather convenient how they were able to take the township of Gosfield North and the town of Essex over and above giving back to the member for Essex South the town of Leamington. I found that interesting. As to the remarks of the Minister of Labour (Mr. Wrye) I believe he did argue in that manner about having five seats for Essex and the city of Windsor. I know the member made the statement that he is satisfied with the way things have gone, but there is another member here, the member for Essex North, who is not satisfied with it. I hope that answers the question.

Mr. D. W. Smith: I want to make a few comments as well on—

Mr. Mancini: On a point of order, Mr. Speaker: I thought you were going to call for more members to respond to the member for Essex North.

The Deputy Speaker: No. The member for Essex North had his reply, and that ends the 10 minutes; then we move on with the debate.

Mr. Mancini: Had that not been the case, I would have jumped up right away.

Mr. D. W. Smith: I want to make some comments as well on Bill 77, An Act to revise the Representation Act. I spoke against this before, but I want to make mention of the fact that in the riding of Lambton, they had—

Interjections.

The Deputy Speaker: Order. The member for Essex South should permit the member for Lambton (Mr. D. W. Smith) to carry on with this debate in an uninterrupted fashion.

Mr. D. W. Smith: They have moved the boundary line into Sarnia township, which is right next to the city of Sarnia. It seems to me the people of Sarnia township are more urban oriented. There is also a municipal boundary change taking place right now; the application was made under the Municipal Boundary Negotiations Act back in 1982. As long as that is in process, it is possibly premature to make a boundary change at this time. It will not even coincide with the possible new municipal boundary. In most cases, this would be reason enough not to change it at this time. I am not going to stand here and say it is unfair or inequitable, but it is possibly premature in Sarnia and Lambton ridings.

When one drives the riding of Lambton, it takes 10 or 11 hours to travel the entire riding with the current boundaries. If the boundaries are

moved into Sarnia township, approximately five miles farther west, it will take a lot more time to get around to constituents, whereas in Sarnia riding at present one can cover it well in a matter of a couple of hours. If the size of Sarnia riding is limited even further, as proposed in Bill 77, one will be around the entire riding in an hour.

I feel it is more or less premature. I am not going to argue whether the commission was fair or equitable, but perhaps we should not make a change until the municipal boundary issue is settled. When we go into committee of the whole House, I may move an amendment to this bill.

Mr. Barlow: I wish to begin by stating that I respect the work and efforts that the Ontario Electoral Boundaries Commission put into the series of recommendations. However, I do not agree with the one relating to the township of North Dumfries. I am sure the government House leader, the member for Brant-Oxford-Norfolk (Mr. Nixon), being just north of South Dumfries, knows of whence I am speaking.

I believe the commission has put too much emphasis on the size of the populations of the ridings. I feel they did not put enough emphasis on the other criteria before them in their deliberations; such as the community or diversity of interests, means of communications, the existing boundaries of the township of North Dumfries and the existing and traditional boundaries of the electoral district.

The government House leader is aware that on February 4, 1985, the council of the township of North Dumfries passed a resolution recommending that the boundaries be left intact. He is also aware of a further resolution passed on May 26, 1986, at a special council meeting. He is aware of it because he replied to Mr. Griffin, the clerk of the township, on June 11, recognizing the resolution passed at the council meeting.

That resolution, moved by councillor Lina Mills and seconded by councillor Wallace Lake, states:

"Whereas the proposed change in the provincial electoral boundaries would divide the township of North Dumfries into two parts, namely, the former township of Beverly residents would remain with the Cambridge riding, and the balance of the township residents, including the former village of Ayr, would become part of the Brant-Haldimand region; and

"Whereas, in the opinion of the council of the corporation of the township of North Dumfries, the proposed electoral boundary change is not in the best interests of the township residents;

"Therefore, the council of the corporation of the township of North Dumfries requests the province of Ontario to further review the proposed electoral boundary change as it pertains to the township of North Dumfries."

That was passed unanimously about a month and a half ago, on May 26.

Obviously, both the council and the residents of North Dumfries wish to remain part of the riding of Cambridge, a riding they have been associated with since well before Confederation. The riding has changed its name on a few occasions, but the boundaries have remained virtually intact, with the township of North Dumfries being part of that riding. During the years, it has been represented by many people of all political stripes. It has voted every which way in elections during the years since Confederation.

They want to remain part of the regional municipality of Waterloo, which they have been part of ever since the days of the former county of Waterloo; now it is the regional municipality of Waterloo. They are part of that system and wish to remain part of it. To have part of the regional municipality of Waterloo split off into another riding is unfair for them to have to accept.

4:10 p.m.

The reason they want to stay part of the regional municipality of Waterloo and in Cambridge riding is that their tax dollars are earned and spent in the regional municipality of Waterloo. Their school tax dollars are spent in the regional municipality of Waterloo. Their children generally go to high school in the city of Cambridge; some of them go to Kitchener or Waterloo high schools, but they are oriented within the region. Their shopping generally takes place in Kitchener or Cambridge, all within the municipality of Waterloo. Some of them may have their cars repaired at Earl's garage in St. George—that is quite possible—but generally their shopping is done within the region.

The majority of the residents who are employed in the work force gravitate to the Kitchener-Cambridge area. There is free telephone service within the region from Cambridge to Ayr and from Ayr to Kitchener. They are part of the Hydro-Electric Commission of Cambridge and North Dumfries, and their mayor actually sits as a commissioner on its board.

With those remarks, I plead once again that the township be retained as part of the regional municipality of Waterloo and as part of Cambridge riding.

I have three questions that perhaps the government House leader can look at and answer in his wrapup talk.

Does the government House leader not agree that traditionally the whole of the township of North Dumfries has very close and interwoven historical, economical, social and political ties with Cambridge and the region of Waterloo?

Will he also respond to the question of how redistribution will benefit the 4,422 residents of North Dumfries who would be removed from the regional municipality of Waterloo?

Further, will the government House leader support the amendment I intend to propose during committee of the whole House, which would leave the township of North Dumfries as part of the regional municipality of Waterloo and as part of the riding of Cambridge?

If he will respond to those three questions, I will very much appreciate it.

Hon. Mr. Nixon: I will respond to the honourable member right now, because he must surely be aware that the voting record of North Dumfries township would not make it particularly attractive to a Liberal interloper from a nearby constituency. If there is any thought in the mind of the honourable member or anybody who might read his and my comments that I lust after North Dumfries, that would be a mistake for a Liberal.

However, I have quite a firm opinion that the recommendation of the Ontario Electoral Boundaries Commission should be implemented without change. I do not think it is appropriate for politicians to change the independent recommendation, when there has been every opportunity for individuals, political parties, candidates and municipalities of every description, regional and otherwise, to put their views before the commission.

It should also be understood that the member put his position in the debate in the House after stage two, when the members of the commission were present in the gallery and listened to what he had to say. Evidently, his arguments were not powerful enough to persuade the judge, who is chairman of the commission, a university professor, who is independent, and another person—I forget what his qualifications were, but they were no doubt outstanding. The point is, the commission is independent and was established as such by this Legislature.

The report is currently before the House, and the tradition of this House—long-supported by the Progressive Conservative Party to its credit—is that politicians should not interfere with these changes. I personally feel very strongly this is the

position that is worth supporting—which is the tradition of this House—in response to this bill, which remains exactly unchanged; it is exactly the recommendation from the independent commission, unchanged by the Liberal government or by any other member.

Mr. McClellan: I want to respond briefly to the remarks of the government House leader. Essentially, I do not disagree with what he had to say, and I say that as somebody whose riding is being eliminated under the redistribution proposals. I do think, though, there was a slightly different understanding of how we might proceed with respect to amendments as discussed by the three House leaders.

My recollection is that there was an understanding that if all three parties could agree on a consensus basis to minor changes in the redistribution proposals, then it was at least contemplated that if such a consensus could be achieved certain minor amendments might pass on a three-party consensus basis. It has not been possible to work out a three-party consensus.

I want to make it clear that as far as my party is concerned—and I think I am speaking for my colleagues—we do not intend to support any amendments or changes in the boundaries to the redistribution proposal unless and except there is three-party consensus. We are prepared to support minor name changes that appear to make sense. I thought it might be useful to put that on the record for the debate.

Mr. Barlow: I appreciate the government House leader's comments on the system and the practice in the past. What I am putting forward is not partisan in any way, shape or form. It is a matter of fact that part of the regional municipality is being removed from that regional municipality. It is being taken away into an entirely separate and different county.

As far as the north end of the riding is concerned, South Dumfries in the Brantford area, yes, there is association. There is no association with the south end going down as far as Lake Erie, Dunnville and so on. They are traditionally part of, and politically and geographically located within, the regional municipality of Waterloo, which formerly was the county of Waterloo. They were a part of the county system all through the years.

My argument is strictly as the council wants it. It wants it to remain part of the regional municipality where it pays taxes and where it is serviced through tax dollars and school tax dollars. That is the purpose of my argument. It is solely that and not for any other purpose.

It has traditionally voted Conservative, but not always. It has voted for every political stripe over the years, in recent history as well. Those are the points I want to make very clear to the Treasurer (Mr. Nixon), and I seek his support when I propose my amendment. I am sure he will want to support me.

4:20 p.m.

Mr. Pollock: I would like to enter into this debate. I will be moving an amendment to Bill 77 at the proper time. That amendment will basically ask that the townships of Thurlow, Tyendinaga, the town of Deseronto and the Tyendinaga Indian reserve remain within the riding of Hastings-Peterborough.

Before I get involved in that too heavily, I would like to take this opportunity to congratulate our clerk, Roderick Lewis, and wish him all the best in his retirement. He certainly will be missed in this chamber.

I am proposing to move this amendment because the people have asked for it. I have presented nine petitions to this Legislature from that area asking that they remain within the riding of Hastings-Peterborough; they were from senior citizens, women's institute members and other citizens concerned that they are going to be moved into another riding.

A little more a year ago, there was a public meeting at the little hamlet of Melrose. There were people there from the Hastings-Peterborough Liberal Association, from the Hastings-Peterborough Progressive Conservative Association and card-carrying New Democratic Party members.

Interjection.

Mr. Pollock: I did not count them, but they all wanted that portion of Hastings county to remain with the riding of Hastings-Peterborough. That is quite understandable. They have always been a part of Hastings county, and they abut the city of Belleville, which is their county seat. Most of them are on the Belleville telephone exchange. They deal with county agencies in the city of Belleville and with provincial agencies in that city. To me, it seems reasonable that they are a part of Hastings-Peterborough riding.

I want to comment on the direction given to the Ontario Electoral Boundaries Commission. It is my understanding they were directed to come up with a certain number of people to represent a constituency, 68,000 people. If there were any riding with 25 per cent above that or any riding with 25 per cent below that, they were to move on it. Hastings-Peterborough fell within the framework of that 25 per cent variation, but the riding

of Prince Edward-Lennox did not. The commission lowered the population of Hastings-Peterborough so it does not fall within that criterion and upped the population of Prince Edward-Lennox so it does. I do not know what they felt they accomplished by that.

If this amendment goes through, the population of Hastings-Peterborough will be approximately 61,000 people. They abut Quinte riding, which has a population of 67,000 people. They abut Northumberland riding, which has a population of 64,000 people. Hastings-Peterborough abuts Peterborough riding, which currently has a population of 89,000. If some 10,000 people are taken away from Peterborough riding and added to Hastings-Peterborough, Peterborough riding will still have a population of 79,000.

The riding of Hastings-Peterborough just stays in the framework of the neighbouring ridings. Some people accuse us of gerrymandering. I do not think there is anything gerrymandering about asking to have four municipalities that I have represented for more than five years stay within the framework of my riding. I do not believe that is gerrymandering.

I went to the commission and put a proposal. There is a statement here, which I will not read, but it was made by the Treasurer (Mr. Nixon). He was not the Treasurer then, but the member for Brant-Oxford-Norfolk. He asked that the commission look at the request of Oxford county. That county then wanted to be one provincial constituency, and the member was going along with that and promoting it. It is right here in Hansard.

Hon. Mr. Nixon: I did not move an amendment to—

Mr. Pollock: No, but the government House leader certainly spoke in favour of it; he sure made his views known.

There is a little quote with reference to television, which says, "Do not let them see you sweat." I do not care if they see me sweat. I am concerned about my riding. I would like those four municipalities to stay within the riding of Hastings-Peterborough. Regardless of political stripe, governments have been accused over the years of not listening to people at the grass-roots level. Here is a chance to support this amendment and show it does listen to people at the grass-roots level.

Mr. Leluk: I am pleased to take part in this discussion on Bill 77 and to express my concerns about the proposed name changes for the four electoral districts within the boundaries of the

city of Etobicoke: the ridings of Etobicoke, York West, Humber and Lakeshore.

When my presentations were made to the Ontario Electoral Boundaries Commission in this Legislature, the city of Etobicoke was concerned with respect to the names of these ridings as they stand at present because of confusion that existed in the minds of the public with the provincial electoral boundaries of York West riding, which I happen to represent, and the electoral boundaries of the federal riding of York West, which is not even in the city of Etobicoke.

Etobicoke received the "city" designation in the past three years and has been working very hard to build a strong sense of community identity. All these different names were clouding the "city" name. There is concern about that.

The proposal that was made to the commission was that the name of the four electoral districts be changed to Etobicoke North, Etobicoke West, Etobicoke East and Etobicoke South, much the same as the city of Scarborough had done some years earlier. What we find in the bill before the House, Bill 77, is that the names that were set out in the electoral boundaries commission's final report have now been changed to Etobicoke-Rexdale, Etobicoke West, Etobicoke-Humber and Etobicoke-Lakeshore.

I understand the sitting members in this Legislature representing the ridings of Etobicoke, Humber and Lakeshore have spoken to the commission and requested that these names be changed to the names we find in this bill. The mayor of Etobicoke, Bruce Sinclair, and the members of council are quite concerned about the proposed name changes as spelled out in this bill. I want to put on the record a letter I received from the mayor. It says:

"Dear Nick:

"This is to inform you of my concern and that of council with the proposed designation of the new provincial riding in northern Etobicoke as Etobicoke-Rexdale. I respectfully request your support in having the name changed to Etobicoke North before the Ontario Electoral Boundaries Commission report is adopted.

4:30 p.m.

"Rexdale has never officially existed as a city, borough, village or even a hamlet. The postal area known as Rexdale is a fairly recent development and represents only a small portion of the proposed riding. To use this designation would be an affront to the other parts of the riding which have contributed more to the history and development of the northern part of our city.

"Etobicoke is currently working to build a strong sense of community and identity. I suggest the new riding be called Etobicoke North, to better reflect its true municipal heritage and geographic position. As well, it would be of greater significance to the constituents of the riding."

I know it is difficult to try to change one particular electoral district such as, in this case, Etobicoke-Rexdale to Etobicoke North and allow names such as Etobicoke-Humber and Etobicoke-Lakeshore to stand.

I want to re-emphasize that the commission in its wisdom chose in its final report to designate the four electoral districts as Etobicoke North, Etobicoke West, Etobicoke East and Etobicoke South. Even though I respect the fact that Humber is a historical name and has historical significance, as does Lakeshore, it is difficult to designate one area, giving it a name such as Etobicoke-Lakeshore, and yet not do the same for the others.

I would humbly suggest that the commission rethink its position. At the appropriate time I probably will move an amendment to change those four electoral district names back to what the commission recommended in its final report: Etobicoke North, Etobicoke West, Etobicoke East and Etobicoke South.

Mr. McClellan: Has the member discussed his amendments with any other members of the House, in particular those members who currently represent ridings the names of which he is proposing to change?

Mr. Leluk: In reply to the member for Bellwoods, I have this afternoon spoken to the member who represents the electoral district of Etobicoke and advised him of the letter I received from his worship Mayor Bruce Sinclair of the city of Etobicoke and of his expressed concerns and those of council about the proposed name change to Etobicoke-Rexdale.

The member for Etobicoke (Mr. Philip) disagrees with the mayor and feels he would like to have the name changed to Etobicoke-Rexdale. I have spoken to that member. I just received the letter today and I have not been able to reach the member for Humber (Mr. Henderson) or the member for Lakeshore (Mrs. Grier). I will try to do so before amendments are made to this legislation.

Mr. Turner: I rise on behalf of the people of the village of Lakefield, to make their views known with regard to Bill 77. I would like to make it clear at the outset that I do not in any way want my remarks to be construed as being critical

of the Ontario Electoral Boundaries Commission, because its members have a difficult task. They are three knowledgeable and experienced people, whom I admire very much. Having said that, I think they have exercised bad judgement in their proposals regarding the village of Lakefield as it pertains to the provincial electoral riding of Peterborough.

I would like to put on the record in the beginning that, under the date of April 8, 1986, the village of Lakefield presented to the Premier (Mr. Peterson) a petition, containing 358 names, objecting to its removal from the riding of Peterborough. To date, the Premier has not acknowledged that petition or the accompanying letter.

The village of Lakefield wrote a letter under the date of March 24, 1986, and to date that letter has not been acknowledged. The gist of the residents' objections has been stated before. I would like to run over some of the major points very briefly.

In the final report of the electoral boundaries commission, it made a recommendation that Lakefield be severed from the present provincial riding of Peterborough and become part of the riding of Hastings-Peterborough.

The main bone of contention here was that this proposal was not made in any previous reports of the commission, and therefore the residents of Lakefield had not had a chance to appeal this recommendation. To put it mildly, these people are very upset.

In addition to the letter and the petition that the residents and the council of Lakefield presented to the Premier, the council of Peterborough county passed a resolution on April 14, 1986. It is addressed to Mrs. Dunford, the administrator and clerk-treasurer of Lakefield:

"I wish to advise that county council passed the following resolution at its session on March 25, 1986: 'That the council of the county of Peterborough support the request of the village of Lakefield that it be retained in the Peterborough provincial riding and not be redistributed to the Hastings-Peterborough riding.'"

We have the support of the county council, we have the support of the Lakefield council and we have the petition from the residents of Lakefield which was sent directly to the Premier for his consideration and which he apparently has chosen to ignore.

With all respect, I think the commission based this decision to sever Lakefield from the riding of Peterborough solely on the basis of population. I would like to make it clear for the record that if

Lakefield were to be retained, the population increase is rather minimal.

I quote from a letter from Reeve Donald Hudson of the village of Lakefield:

"We understand that the Ontario Electoral Boundaries Commission was instructed not to vary from the average population base of 68,267 by an extent greater than 25 per cent unless, in the opinion of the commission, circumstances existed which made it necessary or desirable to support an ever-greater departure.

"The revised proposals now show Peterborough had a population of 78,967. With Lakefield's population of 2,318 added thereto, it increases the total to 81,285, which is still within the 25 per cent allowed variance. We submit that the commission has given undue weight to the population element at the expense of the elements of community interests and means of communication. Upon reading the supplementary report, you will note therein that there are several instances where ridings exceed the average of 68,267."

4:40 p.m.

I would like to further put on the record that ridings such as Brampton South, which will end up with a population of 79,140, London Centre, with a population of 82,644, Mississauga East, with 81,619, Mississauga West, with a population base of 82,355, and Sault Ste. Marie, with a population base of 83,063, all—with the possible exception of Sault Ste. Marie—have a much higher growth rate than the riding of Peterborough. That is a significant matter to keep in mind.

I will be proposing an amendment at the appropriate time. The Treasurer is personally aware of the situation in that great riding of Peterborough. Another significant fact is that the member for the riding of Peterborough, whoever he or she may be, has to pass through the village of Lakefield in order to service or attend the northern end of the riding. Therefore, we have the rather ludicrous situation of a member driving through a village that would not remain in the riding to reach the northern part of the riding.

Hon. Mr. Nixon: Like East and West Pakistan.

Mr. Turner: Those are the words of the Treasurer. I would not dare repeat them.

Thank you for the time. At the appropriate time, when we get into committee of the whole House, I will be proposing an amendment.

Mr. Wiseman: I would like to put a few comments on the record. Some of my colleagues

have been making remarks complimentary to the Ontario Electoral Boundaries Commission, but I was disappointed and a lot of our people who presented briefs at the appropriate time and who were not recognized in the write-up that followed felt slighted that their remarks were not taken into consideration. I told this to Warren Bailie, one of the people on the commission, and he said it was an oversight and an oversight of a few other members as well, but my people took it as a slight.

The other part that was hard to understand was in the third report. In between, we had an election and in that election we noticed in a neighbouring riding, Frontenac-Addington—I am glad to see the the member for Frontenac-Addington (Mr. South) is here—they took a little dip around his home area in order that he could be in the riding rather than outside it. If that is not right, I know the honourable member will get up and say it is wrong. He surely did not miss much time—maybe the Treasurer said he did it for him; I do not know—in getting that changed so that he now lives within his riding. It leaves me, as well as some of my constituents, with some doubt about the fairness of this when that happened so soon after the election.

As most members know, I represent a rural riding and I have always felt that there are fewer and fewer rural riding members. In this redistribution, there are four fewer rural members. I feel that we in rural Ontario have some problems that are not the same as those in the cities. We need more voices in eastern Ontario and in rural Ontario, not fewer.

Whoever is the government of the day and whenever it intends to change the electoral boundaries again, I would like to have it on the record that it should treat rural Ontario the same as northern Ontario and leave the number of seats alone. They may change the boundary lines somewhat, but they should leave the number of rural seats there.

My riding is up to about 70,000 or 71,000 in population now. There is a limit to how much a member for a rural riding can cover in servicing his riding properly. If they keep changing and moving the boundaries, we will not be able to give our constituents the service they have had in the past. We will not be able to address our different problems in the way we have in the past and in the way I hope we will be able to do under this redistribution. If we are cut any more in the future, it will be impossible to do it.

Whoever the new election boundaries people are when we move again, I caution the govern-

ment of the day, whatever it might be, to take this into consideration so we do not hurt rural Ontario as we have have done in this redistribution.

Mr. South: I do not care whether I am in or out of my riding; I believe I will beat anyone the member for Lanark (Mr. Wiseman) coaches to replace me.

Mr. Sterling: As a member of the rural eastern Ontario caucus, I would like to referee that match.

Mr. Wiseman: I am glad the member for Frontenac-Addington confirmed my suspicion that he or one of his colleagues talked to the Ontario Electoral Boundaries Commission. He had better work goldarned hard or he will not win the next time. We will work twice as hard to see that he is put out.

Mr. McGuigan: I want to make a few comments and associate myself with the remarks of the member for Lanark as far as the number of rural ridings is concerned. It is of concern to those of us who represent them to see our numbers diminishing and to have to take on larger ridings, especially when there are so many problems among our rural constituents. Not only are farmers facing economic problems, but also questions of property seem to come up much more often today than in the past. It is a heavy load when we add to it the geography of the situation and the distances that have to be covered.

In general, I approve of the actions of the commission. I realize it has a very difficult job in trying to put together ridings that make sense geographically while giving us somewhat the same numbers.

Looking on my past experience in the riding of Kent-Elgin, I was not as well known in the Elgin part of the riding, which is the smaller part, as in the Kent part. Going to those people over a period of years and having them get to know me was a very heartwarming and wonderful experience as far as I was concerned.

4:50 p.m.

Realizing I was not as well known there, I think I made a greater effort in that area than I did at home. Getting to know those people has been a wonderful experience. In the same way, I look forward to getting to know the people of the western end of the riding after we drop the two townships in Elgin and take on parts of North Essex county. It is a rural riding, very similar to the area I currently represent.

I am happy to say that in my younger days, when I used to operate a truck route delivering

fruits and vegetables to the many communities in southwestern Ontario, I covered that area as well. Therefore, I am generally familiar with the geography, the type of agriculture and the type of communities there. I look forward to getting to know those people in the same heart-warming way that I did those in Elgin and I look forward to them getting to know me and to a great and wonderful experience.

In general, I approve of the actions of the commission. There is one little blip on the map that I looked at, wondering how it came about. The north boundary of the riding generally follows the Thames River, but at Thamesville, to reach out and get about 1,000 people to balance the number, it crosses the river and encompasses the village of Thamesville.

I did not speak to the commission on this, but on behalf of my good friend and strong supporter there, Lewis Sherman, who has been a bastion for the Liberals in the village of Thamesville, I am very happy that the commission included that in our riding, although I am sure it was done for other reasons. Nevertheless, it is a great comfort to Lewis and his family and to all the good people of Thamesville.

Mr. McLean: I would like to speak briefly on this bill. Later, after we go into committee of the whole House, I will be moving for very good reasons an amendment to change the name of the riding. We now have a federal riding named Simcoe North and I do not think it would serve any good purpose to have a provincial riding with the same name. I will be moving an amendment to keep the name the same as at present.

When the first redistribution maps came in, there was to be a new riding in Simcoe county and a substantial change to the riding of Simcoe East. I believe it had a lot of merit. However, there were a lot of objections to it and it went back for redrafting. It ended up with a population of about 23,000 in the northern part of the riding. The town of Midland, the township of Tay, Victoria Harbour, Port McNicoll and the township of Matchedash were then included in the riding of Muskoka-Georgian Bay. In return for that, they put the town of Penetanguishene, the township of Tiny, the township of Flos and the village of Elmvale in the new riding of Simcoe North.

I look forward to having the opportunity of serving that new section of the county of Simcoe. Having served as warden of the county, I am familiar with dealing with that area. I also look forward with great anticipation to the opportunity

to represent the people of Penetanguishene and Tiny township.

It is the francophone part of the riding and having the opportunity to serve that will be a great opportunity to extend the French lessons I have been taking to be able to communicate with the people in that area and to help serve them better. I have always been supportive of the policies of our government to promote French services where needed and we have gone a long way to provide services to the francophones in that community.

I also have the opportunity to represent the township of Tiny, a great farming area with a lot of waterfront, and to expand on the area around Lafontaine, which is a great part of Simcoe county. I have supported the community in its efforts to expand its French services; I will continue to do that because it is a great part of our society and a great heritage we must maintain and support further.

Other rural parts of my constituency, Medonte and Oro townships, remain strong. I anticipate the change will be for the better and look for the opportunity to represent the riding.

Mr. Sterling: I will be brief. Later this afternoon I will introduce an amendment regarding the ridings of Carleton, Leeds-Grenville, and Stormont, Dundas and Glengarry. Perhaps when the next redistribution comes around, I would like the process to change somewhat in dealing with rural ridings in particular. The county of Grenville is being severed from the riding of Carleton-Grenville. In itself that is not a great tragedy, but I do not believe the directions given to the electoral boundaries commission some time ago gave it enough leeway to take into account the very significant community and county ties that exist in rural eastern Ontario.

I represent areas within the regional municipality of Ottawa-Carleton and outside the region of Ottawa-Carleton. I believe there are significant differences in the social aspects and in the relationship between the people and their representative. The redistribution taking place in Grenville, which is severing it on a north-south bias and putting the east half in with Stormont, Dundas and Glengarry and the west half in with Leeds, is a severance with which the people of Grenville are having a difficult time. I do not blame the commission for drawing the boundary that way. I think it did so because the population figures it was given to work with by this Legislative Assembly were not flexible enough for the commission to bring back to the Legislature a division that would have enabled

the people of the county of Grenville to feel they had been more fairly treated in the whole matter.

When the government gives its next directions, I hope it will give the initial directions, the commission will report and then there will be a healthy debate in this chamber on what options would necessarily be given to the commission for it to operate in a more meaningful way. I hope that does not mean an increase in the number of ridings, but it would mean giving more flexibility in certain matters in dealing with different parts of our province.

The member for Lanark has pointed out his concern that rural ridings have not been given enough emphasis. In addition, I would say the concern of the rural areas to keep their communities of interests together has not been properly addressed. I do not blame the commission; I blame the instructions it was given.

5 p.m.

Hon. Mr. Nixon: I have listened to most of the comments made in the debate, and I reiterate what I previously said. I urge members to vote for the principle of the bill. I do not think there is any question that it will be successful.

When we deal with this in committee, there will be a number of amendments. At least five members have indicated their intention to move amendments. I hope the House will reject all the amendments, except possibly name changes that are agreeable to all three parties.

One thing did concern me, and perhaps I should have responded immediately following the speech made by the member for Lanark. As I understood it, the implication was that following the election, the commission, chaired by Mr. Justice Hughes, had adjusted the boundary of the Frontenac-Addington constituency to accommodate the newly elected Liberal member.

First, that is not the case. The honourable member indicated in his previous comments his dissatisfaction and a possibility that he might move an amendment, although I do not encourage him to do that.

Second, the serious matter I want to bring to members' attention is the implication in the comments made by the member for Lanark that somehow or other the judge and the other commissioners were affected by the decision to change the government in Ontario and that their decision, therefore, was made in favour of the newly elected Liberal. I can only presume he said that with his tongue in his cheek or facetiously, because any other construction on that is totally unacceptable both in this House and by the judge and the other members of the commission.

Motion agreed to.

Bill ordered for committee of the whole House.

ELECTION FINANCES ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other Acts respecting Election Financing.

Hon. Mr. Nixon: If I may be of assistance, I made an opening comment on this bill and the New Democratic Party responded. As usual, they were ready, aye, ready. The adjournment was moved by the House leader for the Progressive Conservatives. Would members sooner go into committee on the other one first?

Mr. Harris: That would be quite helpful.

On motion by Mr. Harris, the debate was adjourned.

House in committee of the whole.

REPRESENTATION ACT

Consideration of Bill 77, An Act to revise the Representation Act.

Mr. Sterling: On a point of order, Mr. Chairman: Has it been agreed that any votes in committee are going to be stacked?

Hon. Mr. Nixon: On the point of order, there has not been an agreement, but we are quite anxious to make one.

The Deputy Chairman: Is it agreed we will stack votes, if any, on this bill?

Mr. McClellan: On a point of order, Mr. Chairman: With respect to the proposal that there be stacked votes, it may not be necessary to have divisions on this statute.

Hon. Mr. Nixon: We promise not to stack any votes that do not exist.

The Deputy Chairman: Is it agreed that the votes be stacked?

Agreed to.

Mr. Sterling: Mr. Chairman, I believe you have an amendment dealing with the electoral district of Oxford in your hands. Do you have a copy?

The Deputy Chairman: I understand this is in the schedule; it is not a section.

Mr. Sterling: Yes, it is in the schedule.

The Deputy Chairman: I do not have a copy of it.

Mr. Sterling: Are the other sections being carried first or do you go to the schedule first?

Sections 1 to 11, inclusive, agreed to.

On the schedule:

The Deputy Chairman: Mr. Leluk moves that the schedule be amended such that the designated electoral districts of Etobicoke-Rexdale, Etobicoke-Lakeshore and Etobicoke-Humber be deleted as named and instead be called Etobicoke North, Etobicoke South and Etobicoke East respectively.

Mr. Leluk: The reason for proposing this amendment is that the Ontario Electoral Boundaries Commission recently recommended that the Etobicoke-area ridings be designated as Etobicoke North, Etobicoke South, Etobicoke East and Etobicoke West.

With regard to Etobicoke-Rexdale, Rexdale has never officially existed as a city, a borough, a village or even a hamlet. The postal area known as Rexdale is a fairly recent development and represents only a small portion of the proposed riding which has contributed more to the history and development of the northern part of that city. Designating this riding as Etobicoke North would better reflect its true municipal heritage and geographical position.

With regard to Etobicoke-Lakeshore, there is potential for considerable confusion in that the federal electoral district of Etobicoke-Lakeshore overlaps the same area that is to be identified as the provincial electoral district of Etobicoke-Lakeshore. We would have substantial confusion emanating out of the name change as proposed.

In addition, it has been more than a year since Canada Post strengthened Etobicoke's identity by allowing businesses and residents to use Etobicoke as the mailing address. Etobicoke is currently working very hard to build a strong sense of community and identity, and designating the Etobicoke-area electoral districts as Etobicoke North, Etobicoke South, Etobicoke East and Etobicoke West, in my view would be of much greater significance and less confusing to the constituents of these ridings as well as offering consistency throughout the city.

5:10 p.m.

Mr. McClellan: On the previous speaker's proposal, we had some discussion earlier in the second-reading debate, and the member admitted he had not talked to some of the members whose riding names he is proposing to change.

Mr. Leluk: I spoke to all of them.

Mr. McClellan: He might have spoken to them, but I do not believe the member for Lakeshore (Mrs. Grier) and the member for Etobicoke (Mr. Philip) support his proposal. It is

quite inappropriate for a member to try to name somebody else's constituency.

Mr. Leluk: I have discussed this with the member for Etobicoke and the member for Lakeshore. I was not able to get in touch with the member for Humber (Mr. Henderson), but my executive assistant has spoken to him about this. All three members who are involved know about it and about the concerns I and the mayor of the city of Etobicoke have expressed. They are aware I was going to move an amendment. The member for Lakeshore said she would be in this House to speak to this, but I do not see her.

Mr. McClellan: I do not know what stunt the member is trying to pull, but it is not going to fly.

Mr. Leluk: That member should be here.

Interjections.

The Deputy Chairman: Order.

Mr. Foulds: On a point of order, Mr. Chairman: The order was called at the convenience of the Tory party because it was unable to proceed with another bill that was in Orders and Notices and was scheduled to be called ahead of committee of the whole House on this bill. Let the loud-mouthed member set the record straight.

Hon. Mr. Nixon: Mr. Chairman, on a point of order: I do not normally act as oil on troubled water, but the last thing we need is a slanging match on this bill. The member has put his amendment, and he has supported it. Let us now vote on it.

The Deputy Chairman: All those in favour of Mr. Leluk's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Pollock moves that the schedule be amended by striking out all under the heading "The Electoral District of Hastings-Peterborough" and adding:

"consists of that part of the county of Hastings lying northerly and easterly of the line described as follows: Commencing at the southwesterly corner of the township of Rawdon; thence easterly along the southerly boundary of the said township to the westerly limit of the village of Stirling; thence southerly, easterly and northerly along the westerly, southerly and easterly limits of the said village to the southerly boundary of the township of Rawdon; thence easterly along the said boundary to the southwesterly corner of the township of Huntingdon; thence southerly along the westerly boundary of the township of Thurlow to the northerly limits of the city of

Belleville; thence easterly and southerly along the northerly and easterly limits of the said city to the intersection of the easterly prolongation of the city of Belleville and the centre line of the Bay of Quinte; and the town of Deseronto, the villages of Havelock, Lakefield and Norwood and the townships of Asphodel, Belmont and Methuen, Burleigh and Anstruther, Chandos, Douro, Dummer, Galway and Cavendish, Harvey and Otonabee."

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Sterling moves that the schedule be amended by:

1. Changing the name of the electoral district of Carleton to the electoral district of Carleton-Grenville.

2. Adding to the said riding of Carleton-Grenville the township of South Gower, the township of Oxford-on-Rideau and the town of Kemptville.

3. Adding to the electoral district of Leeds-Grenville the township of Edwardsburgh and the village of Cardinal.

4. Deleting from the electoral district of Stormont, Dundas and Glengarry the town of Kemptville, the village of Cardinal, the townships of South Gower, Edwardsburgh and Oxford-on-Rideau.

5. Adding to the said riding of Stormont, Dundas and Glengarry the township of Charlottenburgh.

6. Deleting from the electoral district of Cornwall the township of Charlottenburgh.

Mr. Sterling: The amendment I am putting forward was done in consultation with the other members of the Legislature who represent these areas.

What this does is to take the county of Grenville and not divide it down the centre. It leaves with the riding of Carleton the northeast quarter of that county, because that part of the county relates very closely to the Ottawa-Carleton region. That is particularly so because of the completion of Highway 416, which the Deputy Chairman is aware of, coming as he does from that area. The completion of that highway, when it goes to the Queensway, will draw that section of Grenville much closer to the Ottawa-Carleton area.

5:20 p.m.

The people of that area have been represented by me for some time and have expressed their

desire to remain with that association. In the alternative, they would have accepted an association with Leeds, because Leeds and Grenville is a united county and the municipal political sphere moves to the west rather than the east. That would be their second choice.

The other part of the amendment adds to the Leeds-Grenville riding, as proposed in this legislation, the township of Edwardsburgh and the village of Cardinal. That would put the whole front of the county of Grenville with the county of Leeds. In terms of population, based on the figures presented to the commission, it would leave the existing riding of Cornwall as it now is and it would leave the existing riding of Stormont, Dundas and Glengarry as it now is. It would drop the populations of those ridings down by about 6,000 people, making those ridings much smaller but not under the minimum prescribed to the commission by the Legislative Assembly.

The amendment would also transfer in the legislation the township of Charlottenburgh, which is currently represented by my colleague the member for Stormont, Dundas and Glengarry (Mr. Villeneuve). He would retain that township to bring the population up to 49,810 people.

As I have mentioned, the member for Stormont, Dundas and Glengarry and the member for Leeds (Mr. Runciman) have both agreed that the changes in this proposal would be to their satisfaction. The member for Cornwall (Mr. Guindon) has indicated he would be agreeable, although he is in no way shying away from representing the people of Charlottenburgh. To accommodate my wishes, he would agree to this. The member for Stormont, Dundas and Glengarry has indicated he would accede to my wishes in this case, although he is quite willing to give good representation to the people of the eastern half of Grenville county.

While these changes may appear to be insignificant in some ways to the other two parties, they relate to a population shift out of two ridings of about 7,000 people and into two other ridings of about 7,000 people. My riding, if I were left with a Carleton riding, which would become Carleton-Grenville, would go from 57,628 people to 65,159 people, which is still below the average. Leeds-Grenville would go from 67,268 to 73,410 and Cornwall would drop from 58,537 to 51,320. Stormont, Dundas and Glengarry would drop from 56,263 to 49,810.

I know these changes are reasonable. They have been presented to the other parties before. I ask for the support of all members of this

Legislative Assembly for the wish of the people in the area. I hope they will support it.

The Deputy Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Turner moves that the schedule be amended by:

"(a) striking out 'Lakefield' in the 12th line of the description of the electoral district of Hastings-Peterborough; and

"(b) striking out 'village of Millbrook' in the second line of the description of the electoral district of Peterborough and inserting in lieu thereof 'villages of Millbrook and Lakefield.'"

Mr. Turner: The effect of this amendment would be to transfer the village of Lakefield from the electoral district of Hastings-Peterborough to the electoral district of Peterborough.

The Deputy Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Sterling, on behalf of Mr. Treleaven, moves that the schedule be amended by deleting the phrase "but excluding the town of Tillsonburg" from the section of the schedule marked "The Electoral District of Oxford," and that legislative counsel be given the authority to make any consequent changes in the schedule necessary to conform with this amendment.

Mr. Sterling: The reason the member for Oxford (Mr. Treleaven) is not proposing this amendment himself is that his position as Chairman of the committee of the whole House in some way negates his ability to present it at this time.

I would like to put forward very forcefully his position as he related it to me. The town of Tillsonburg is the only part of Oxford county that has been excluded from the electoral district of Oxford. It is his very strong feeling that it would be more advantageous for the understanding of the citizens of Oxford to have this part of the county included in the electoral district of Oxford.

I cannot speak as eloquently as we all know he did one evening two weeks ago, but I would like to put forcefully that he urges each and every member of this Legislative Assembly, as I do, to support his amendment on this act.

Hon. Mr. Nixon: I am somewhat surprised this amendment is before the House. As the member for Brant-Oxford-Norfolk, I feel I must express a view.

Going back many years, the Legislature and the various redistribution commissions have come to the conclusion that the great county of Oxford, with the city of Woodstock, is too large to be a single provincial constituency. Through the years, there has always been a part of it that unfortunately, on the basis of a uniform distribution of population, has had to make do with representation in conjunction with a nearby municipality.

As a matter of fact, since 1934 the historic township of Blenheim has not been associated with Oxford for that reason. Since the most recent redistribution, the additional area known as Blandford before the restructuring of the county also had to be separated on the basis that the distribution of boundaries is supposed to give relatively equal force to the individual votes of electors.

5:30 p.m.

The honourable member who has proposed this motion on behalf of the member for Oxford, who feels he cannot speak on it, would give the constituency of Oxford a far greater size than would be consonant with the direction associated with the uniform distribution of the seats. It would be very misleading if the people of Tillsonburg felt that the Legislature, in rejecting the amendment, which the Legislature should do, were in any way doing anything other than carrying out the decisions made by the independent redistribution commission.

It would be unwise if there were any attempt by anyone in any political party to misrepresent either the decisions made by the Ontario Electoral Boundaries Commission or the decisions made by this House. We feel it should not be on the basis of politics but on the basis of the independent recommendation that has twice been available for input from individuals and municipalities. It is at present put to the House in exactly the terms, without any comma or phrase changed, in which it has come from that independent commission.

For the reasons I have put forward, I sincerely hope the member's motion will not be supported.

Mr. Sterling: The argument put forward by the Treasurer is not perfect in its presentation, because this Legislative Assembly gave the commission its marching orders. As I mentioned earlier on second reading of the bill, those instructions are not perfect in themselves.

Particularly in rural areas where the county community is of great importance, we should overlook the strict population figures that were given to the commission.

We cannot hide in this Legislature behind the independence of the commission. It is up to the Legislature here today either to accept or to change any of the recommendations that commission made. The Treasurer (Mr. Nixon) may not like that, but that is where the power lies. If the Legislative Assembly feels it is more important to follow what an independent commission says than what members feel is right for the county of Oxford and the town of Tillsonburg, so be it.

The Deputy Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. McLean moves that the electoral district of Simcoe North be amended by renaming it the electoral district of Simcoe East.

Mr. McLean: The reason for the amendment is that federally there are two major ridings in Simcoe county: Simcoe North and Simcoe South. The two provincial ridings in the county are Simcoe West and Simcoe Centre, and this should remain Simcoe East. It makes plain common sense.

Hon. Mr. Nixon: I have been informed by the group which discussed this bill before that there is acceptance of this name change, and we intend to support it.

Mr. McClellan: The government House leader and I discussed this proposal. It seemed to be a sensible one, so I am prepared to support it.

Motion agreed to.

Mr. Barlow: I also have a sensible amendment to Bill 77.

The Deputy Chairman: Mr. Barlow moves that the schedule as it relates to the electoral district of Cambridge be amended by striking out all words after "and" in the first line and adding thereto "the township of North Dumfries," and a consequential amendment to the schedule as it relates to the electoral district of Brant-Haldimand by striking out everything after "No. 40A."

Mr. Barlow: The population of the riding of Cambridge as it stands today is 82,155. That was based on the 1981 census. The commission was looking at an average population of 66,347. If we

leave the Cambridge riding as it is, it would still fall within the range of plus 25 per cent, which was part of the terms of reference of the commission. To remove, as I propose, part of North Dumfries from Brant-Haldimand and put it back in Cambridge would drop the Brant-Haldimand riding down from 63,546 to 59,124, still well within the range of minus 25 per cent.

I want to re-emphasize the need and desire of the people of North Dumfries to remain part of the riding of Cambridge and I urge the members of this House to so support them.

The Deputy Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the motion is lost.

Motion negatived.

The Deputy Chairman: Mr. Jackson moves that the schedule be amended by striking out "and westerly" and "thence southeasterly along the said limit to New Street; thence southwesterly along New Street to Appleby Line; thence southeasterly along Appleby Line to Appleby Place; thence southeasterly along Appleby Place and its southeasterly prolongation to the shore of Lake Ontario; thence northeasterly along the said shore to the northeasterly limit of the city of Burlington," under the heading "The Electoral District of Burlington South" in the second, sixth, seventh, eighth, ninth, 10th and 11th lines.

5:40 p.m.

Mr. Jackson: I will be brief since this is now the fifth time I have raised this point in the chamber. The member for Brant-Oxford-Norfolk (Mr. Nixon) is painfully aware of the number of times I have raised it. He is also aware of the substance of the amendment and of its implication for the citizens of east Burlington. The member is also aware of the statement I made yesterday in the Legislature that this is an unprecedented response to an electoral boundary change, in so far as this House has never experienced receiving a petition signed by 3,000 residents, it is the only petition received in the House along these lines, and we had two resolutions, from the city and the regional council.

The commission itself indicated in its report that there were weighty arguments for the retention of this section in the riding of Burlington South. I have been led to believe by all three party House leaders that this amendment was under active consideration for a considerable period, along with the resolutions I will have the pleasure of supporting on Essex North and

Frontenac-Addington. Unfortunately, I have also learned that my colleague the member for Halton-Burlington (Mr. Knight) has seen fit to withdraw his support, even though he had indicated previously that he would support the resolutions that were sent to his office from the regional council and the city.

I will leave the manner in which the member may have misrepresented his public position on this to be resolved with those councils. Upon checking with them in the past two days, I found they had the impression he was still actively, publicly and politically, within his caucus, supporting these amendments. At the least, his position is confusing and unfriendly to the citizens of Burlington, and it is quite unfair because, as I indicated earlier, we were very close to an all-party agreement since the matter was under active consideration by the House leaders.

In closing, I would like to appeal to my colleagues here today to set aside their partisan positions. All three House leaders have agreed there is no political advantage to this amendment, but we would be conceding to the specific wishes expressed by the citizens of east Burlington. Therefore, on behalf of the citizens of east Burlington, I will leave their fate to you, since it is relative to the quality and the sensitivity of your response.

The Deputy Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Schedule, as amended, agreed to.

On motion by Hon. Mr. Nixon, the committee of the whole House reported one bill with a certain amendment.

ELECTION FINANCES ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other acts respecting election financing.

The Deputy Speaker: When we broke off earlier this afternoon, the member for Nipissing (Mr. Harris) had moved adjournment of the debate.

Mr. Harris: I have no further comments.

Mr. McClellan: Unfortunately, I have the disadvantage of not knowing whether we spoke. I am told we did speak and, therefore, I do not need to. It is fair to say the bill is the product of a

co-operative effort on the part of all three parties. A great deal of work has gone into producing a piece of legislation which has the support of all members of the House, with one or two minor exceptions. We are pleased to see the bill going forward today.

The Deputy Speaker: Are there any other members who wish to participate in the debate? The member for Eglinton.

Mr. McFadden: Thank you.

Mr. McClellan: Is the member speaking as president of the Conservative Party?

Mr. McFadden: The honourable member asked in what capacity I am speaking. I am speaking as the member for Eglinton. I am also speaking as someone with at least a passing interest, based on my experience over the past number of years, in the impact the bill will have on the party process in Ontario.

It is safe to say our party welcomes this bill and we will be supporting the legislation. A number of the provisions of the bill are long overdue.

The provision relating to increases in maximum contributions to the parties is something that is five or six years out of date. I hope in future the House will see fit to make arrangements so the donation levels more accurately reflect inflation and other cost factors. We welcome the intent of the bill, which is to increase donation limits to something reasonable to compensate for the inflationary pressures the parties have faced since the bill was first brought forward in 1975.

One aspect of the bill I would like to make special comment on, since it does reflect a change from the previous practice and pattern in Ontario, is the requirement that leadership candidates register under the act and make public disclosure of contributions. Having been involved in organizing two leadership conventions in the past 18 months, I welcome the inclusion of this provision.

When the Election Finances Reform Act was passed in 1975, I very much supported it because it had the effect of removing political fundraising from the shadows. It allowed party financing to be done in an open fashion with disclosure of spending as well as donations. In addition to that, the provision that permitted tax credits to be provided encouraged an increased number of Ontarians to take part in the process by donating their funds.

The original act introduced by Premier Davis approximately 11 years ago represented a major and welcome change in the whole approach to political financing. The bill we are considering

this afternoon is a further step along that road. It is consistent with the principle of the legislation brought in 11 years ago and improves upon and enhances the practices and principles enshrined in the original Election Finances Reform Act.

5:50 p.m.

The inclusion of leadership conventions within the ambit of the act could potentially be a controversial matter in the sense that, until now, leadership conventions have been considered essentially family matters within parties and the standards and conduct of those conventions were left up to individual parties. I think, though, times have changed. Very clearly, there is a feeling in society that, even though leadership conventions are party matters, there should be a disclosure of donations in view of the importance these leadership conventions have in terms of the government and the politics of the province.

In conclusion, this bill is the product of a co-operative effort by all three parties. It is an example of the kind of good work that can be done on a very important matter in a nonpartisan atmosphere. The Commission on Election Contributions and Expenses, of course, had a role in this and, in my view, the commission deserves a lot of credit for the excellent work it did during the past 11 years. As someone who has dealt with the commission in a number of ways on a regular basis through those years, I think the commission can be complimented for the very fair and practical, but also the very firm way, in which it has dealt with this legislation. I anticipate that if the commission can maintain in the years to come the same standards it has during the past 11 years, the bill we are passing today will be well administered and will contribute to enhancing the standards of conduct in the whole political sphere in Ontario.

Our party is pleased to support this bill. We look forward to working with the commission in carrying out the provisions of the bill and the objects of the legislation.

Mr. Cousens: Mr. Speaker, thank you for your indulgence at this time. I have been working hard on my notes for this speech.

As we make changes in the act that affects future elections in Ontario—

Mr. Breough: Which act is it?

Mr. Cousens: Bill 103, An Act to revise the Election Finances Reform Act.

Mr. Breough: Very good. It looks like an all-nighter.

Mr. Cousens: It could go quite a while. When one has had the problems with the federal

election finances legislation that Tony Roman, a very good friend of mine who happens to be the federal member in our riding and who also ran as a candidate for our party a number of years ago, has had—

Mr. McClellan: He was an also-ran.

Mr. Cousens: I will tell members this much: he is better than most of the people who have tried to run for the seat. I rate him as one of the best people who could possibly run for our party in any capacity.

I have a few concerns about the effect of this bill on future elections in our province. The first has to do with the value of signs and inventory. When one has signs from the previous campaign, one wonders how much they will be worth in future campaigns. I have a feeling we could be facing an administrative nightmare unless we are satisfied that the guidelines delineated by the commission are going to be in keeping with fairness and equity with regard to what the value of those signs and inventory really is, and are not going to include some of the permanent fixtures that do not have logos and other party identifications on them.

Running a campaign is a very large expense. Because of the cost, many people are not motivated to get into politics. The other reason that keeps them back is that they do not want to get entangled with a nightmare of administrative, bureaucratic rules and guidelines that require a lawyer and someone with extensive background and training to be able to handle, read, interpret and keep the candidate and his or her chief financial officer out of conflict with the law, out of the courts and out of trouble.

Consequently, when one starts having these guidelines laid out without a totally clear statement of what is going to be required, I would like to be satisfied that the government is not trying to bring in further intrusions to the process of electing a person.

There is a problem in getting good people to run for any party. We should be doing all we can to attract people into politics. We are raising stigmas when we have conflict-of-interest guidelines. People are starting to say, "How is going to affect my wife, my children or someone related to me?"

A further aggravation to someone getting into politics is the nightmare around this kind of act. How many people are going to read it and understand what it says? Are we going to be depending on people in the commission to be the arbiters of fairness and equity? People who do not know the people who are already there and do

not know them to be fair, honest and good might be somewhat reluctant to allow their names to be put forward because of the fear of the consequences of being in breach of that law. There is a serious concern there that comes out of the simple problem of evaluating property and assets before one gets into the campaign.

I have another problem that has to do with the spending limits. As we get into redistribution, some people are going to be happy that their ridings have gone from being very large to being smaller and more compact. I see across from me my good friend the member for York North (Mr. Sorbara). He and I are in the position that our ridings will be blended together. I am honoured and pleased to represent York Centre, but a large segment of that, Richmond Hill and Vaughan, will form part of the new riding of York Centre. I hope to run in the riding of Markham, which will be the corporation boundaries of the town of Markham.

My problem becomes that of others who have large populations in their ridings. The spending limits allowed for campaigns are \$2, \$1 and then down to 25 cents. This can have quite an impact on a riding as large as mine, which has two local newspapers and, when it is redistributed and the new riding comes into place, will have close to 120,000 people. My riding now has close to 180,000 people. It is going to cost more for any candidate to run a realistic or comparable campaign in a riding as large as I am describing.

Therefore, I would like to see an amendment by the government, with the support of myself and I hope members from all parties, so that the spending limits are increased in the third part of that equation to 50 cents rather than 25 cents.

I am genuinely concerned. I could go on at some length on the effect it has and the mathematics involved. I do not want to do that. I want to make the point that it is going to cost a considerable amount more in a riding as large as I am describing.

The town of Markham is going to grow by 20,000 to 30,000 people per year over the next several years. There is one new subdivision alone that has 65,000 people. It has just been approved.

Hon. Mr. Scott: And not a Tory in the bunch.

Mr. Cousens: I know. That is why I might need a cent or two to get to them. They are all friends of everybody else, but I will be working hard to become their member, to win their respect. They cannot all come up and say, "David, you would not do that to me."

The spending limits are not equitable, based on the potential growth some ridings will

experience over the next period. I illustrate it with the riding of Markham, which is going to grow unless the government says there will be no more growth north of Metro Toronto, everything north of Steeles Avenue is going to die. It is not going to do that, because it is too beautiful a place and too many people want to live there.

6 p.m.

I am getting a little diverted. My key point is that the spending limits should be increased to reflect the size of ridings such as the one I hope to represent. To mount a campaign that can touch on a lot of the new people who do not have a history with the riding, the cost of achieving that objective is going to be more than the 25 cents per person that is being allowed now, especially when we looking at those additional dollars. The amount should be doubled to 50 cents.

I am concerned about the difficulty in some ridings for all parties across this province in finding chief financial officers who are prepared to be responsible for the implementation of this bill. I wonder whether consideration should be given to their becoming paid servants of the province, so there might be some extra incentive for them to take on this responsibility of helping with the electoral process. I do not want to see the taxpayers of the province suffer the expenditure of more money in the election process, yet we are saying we want more from the chief financial officers of campaigns.

I am beginning to feel it is going to be more and more difficult to find people to perform these services and to do the kind of job that is required by an act that has 44 pages to it and an awful lot of points in it. Has consideration been given to this? Can consideration be given to it now? Is there any way we can address the problem of CFOs and their proper compensation?

They accept liability for the job. If they are in breach of the act, they have to face a court scene and investigation. They have to follow it through. Why then are we on the one hand putting them under judgement, but on the other hand not giving them some form of compensation? We do it with auditors. Why can we not do something more for the chief financial officers of campaigns? I hope there is someone in the government who can respond to this. I do not see anyone over there who can, unless the honourable minister does.

My final point is that I would like to see what people are talking about as the spending limits needing to be increased. This bill talks as if there is not going to be any increase in the cost of living in the next period of time. It does not accept that

the dollar we are working with today will be worth less as time goes on. Is there any way there can be an automatic review of the spending limits during a period of time by the commission?

It would have to be done by the commission. It is not going to be done a group of politicians, because they would all be Liberals and New Democrats, and there would not be any objectivity at that point. There would have to be a Conservative in their midst, and there is some doubt that those people would allow a Conservative to participate in that process.

Now is the time to build into the act some opportunity for fairness and equity, to allow an increased amount to be spent on campaigns as inflation goes on. As costs increase, there should be an allowance within the bill to accept a review of those costs.

Interjection.

Mr. Cousens: I would love to believe that. There is nobody I want to believe more than the Attorney General (Mr. Scott), but I just cannot.

Mr. Breagh: There are a lot of things the member cannot do.

Mr. Cousens: And I do not even try.

There are a number of points I have raised. I believe I have raised them with the intention of trying to see that there is fairness for all in the electoral process. If we do not take these points into consideration, we are discouraging people from wanting to run and from wanting to accept the responsibility of key jobs as chief financial officers.

We are also putting some ridings at a disadvantage, because they will be having a much larger base to support and to present themselves to in the electoral battle. They will be punished by not having more money granted to them. I among them feel the 25-cent level is punitive and unfair, especially to fast-growing ridings.

I wonder whether there is going to be an opportunity to discuss this bill further in committee and to make amendments to it or whether the government is prepared to make some moves to address some of the points I have raised. If I have a sense of that, this will have been worth while. If that does not happen, I feel some people in this province will be shortchanged by this bill, and I do not want to see that. I do not want to see it rushed through without full consideration given to the points being raised now.

Hon. Mr. Nixon: I want to acknowledge the comments made by the honourable members. The member for Eglinton (Mr. McFadden) has

highlighted a problem that might occur during the period following the proclamation of the act and preceding the reregistration of a new constituency association. The committee, with members from all three parties, felt it had covered that period. The old organization will have the responsibility and the power to pay its proper bills, and any funds that come in will be distributed according to a process that will be well understood and appropriate. In case any aspect of this is not clear or well understood, the member has suggested an amendment that we think is appropriate. At the right time, he will put it forward. We intend to support it.

The member for York Centre (Mr. Cousens) is concerned about an area such as his own, which admittedly is growing extremely fast, and the fact that the limits on campaigning may be too low for what he considers to be a requirement. There has been considerable discussion about what those limits would be. In general, they provide about \$50,000 for a campaign in each constituency. In a constituency that is abnormally large or at the upper limit, there would be more dollars, while in a smaller area, there would be fewer dollars. The average is about \$50,000.

There was some discussion among the three parties that the limit might be a bit high. I thought it was too high. Other members indicated it was not providing sufficient resources to contact properly all the constituents in an area. The amount there is a result of considerable discussion. While there is not 100 per cent agreement, it is something all parties felt we could put forward.

In areas where the money might be considered to be somewhat inadequate I would not consider it to be unfair. Any inadequacies would affect all the candidates in the same way. It might put a premium on youth, which should not bother the member; such an individual might have more energy to get along from door to door faster and so on. We are not proposing an amendment that would increase that limit.

I hope our experience in the next election, whenever it comes, will show that this is a reasonable limit and that it is possible for a candidate of any political persuasion to put forward his or her concepts of the issues, his or her ability to serve in the Legislature and, incidentally, his or her ability to campaign. I hope the member will find his campaign is not seriously affected by inadequate dollars; but in so saying, I do not wish him well.

Mr. Cousens: In response to the—

The Deputy Speaker: No, there is no response.

Mr. Cousens: After him not wishing me well I feel all the worse.

The Deputy Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Bill ordered for committee of the whole House.

6:10 p.m.

House in committee of the whole.

ELECTION FINANCES ACT (continued)

Consideration of Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other Acts respecting Election Financing.

Mr. McFadden: I have an amendment to clause 12(4)(b).

Mr. Cousens: I am preparing one. I did not know the bill was coming to the House today, but it has to do with explanatory note 5. I have to find the section in the bill.

Mr. Chairman: In the meantime, the member for Brant-Oxford-Norfolk (Mr. Nixon) had an amendment to sections 46 and 56.

Mr. McCague: I have a question regarding section 12.

Mr. Cousens: I reserve the right to bring up a number of others.

Mr. Chairman: We would have a problem, because we have to carry them up to a certain point. If your amendment is prior to that time, we will have passed it by. We have to know at least what number it is to stand it down.

Mr. Cousens: Mine will be after section 12.

Sections 1 to 11, inclusive, agreed to.

On section 12:

Mr. McCague: I just need a point of clarification from the member for Brant-Oxford-Norfolk. Subsection 12(2) talks about "all funds of any association not required to pay outstanding debts shall be held by its chief financial officer in trust." At the bottom of the page, clause 12(4)(b) talks about what the trust officer must do with those.

My layman's reading of subsection 2 would say there might be two funds. One fund may be necessary for the payment of outstanding debts and the other fund may be in trust for the CFO who has been deregistered but given the job of

paying the debt. Can the member explain that to me?

Hon. Mr. Nixon: The people who were charged with recommending the details of the bill, representing all three parties actually, laboured over this considerably. There is a period when the old constituency will not be carrying on its normal activities, yet there is a good chance bills will remain and in some instances new bills may be incurred for various activities the constituency might properly be undertaking.

The meaning of these sections, as I understand them, is that all those moneys will be held in trust by the chief financial officer. It is his responsibility to hand over moneys remaining according to a formula for distribution to the newly registered constituencies. From those moneys he has in trust, it is his trust to dispense those in payment of appropriate bills authorized by this legislation.

I hope there will not be a concern, and I suppose in many respects we are depending on the election expenses commission, which most of us have experienced as not only sensitive and helpful but also knowledgeable in these matters, realizing there is no intention for anyone to misrepresent or misappropriate any of these dollars. The commission itself has the watchdog and guardian responsibility, but the duties of the chief financial officer are set out in this bill and in this section as clearly as possible.

The member's colleague the member for Eglinton (Mr. McFadden) is proposing an amendment for some clarification on the ability to pay bills incurred during the period following deregistration, following the proclamation of the bill. We believe those powers are already there, but from what the member said on second reading, his comments will assist in clarifying that matter.

I do not envisage two funds. I believe all the money to be in trust, but part of the trust involves the responsibility of the chief financial officer to pay approved bills from the old constituency.

Mr. McCague: In subsection 12(2), why does it not say all the funds of any association shall be held by the chief financial officer rather than putting in "not required to pay outstanding debts"? Why is that there, when below it again refers to outstanding debts as the responsibility of the person who holds the money in trust? I cannot understand that, and it is going to be confusing to chief financial officers.

Hon. Mr. Nixon: I do not see how it might be envisaged that there will be two funds, one in trust and therefore inviolate, and the other a sort of checking account to pay the bills, because I am

not sure it would be possible to know how big the checking account to pay the bills would have to be.

Those words may be misleading to some extent, but my understanding is that the chief financial officer has the responsibility to pay all authorized bills and to hand on the rest in trust to the subsequent constituency organizations. I do not think this is going to be a problem, but I can check it with the officials, if the honourable member will allow us to proceed, because we are not going past section 12 for a minute or two.

Mr. Chairman: We will carry on with clause 12(4)(b) while the Treasurer (Mr. Nixon) is finding some information.

Mr. McFadden moves that line 1 of clause 12(4)(b) be amended by adding, after the words "outstanding debts" and before the words "from funds," "and expenses incurred in relation to the administration of the constituency association."

6:20 p.m.

Mr. McFadden: The reason for this amendment is to remove any cloud of doubt about the ability of a riding association to carry on normal activities and to pay its bills during the period from the time this act comes into effect until the new riding is registered.

Reading the wording of the bill without this amendment, it appears that the only accounts the chief financial officer could pay would be debts outstanding at the time of deregistration. I know one could construe it more liberally to mean outstanding debts that might occur from time to time, but the worry I had with the wording was that "outstanding debts," as it is worded there, could indicate that those debts would be those debts outstanding at the time of deregistration. If that became an operative interpretation, or if it were narrowly construed, every riding association in Ontario could be faced with some significant problems during the period from deregistration until the new riding association was created and recognized.

I know the Commission on Election Contributions and Expenses could broadly construe it and say: "It is okay. Anything goes. Any accounts that were incurred during that hiatus or deregistration period would be okay." However, my worry is that the chief financial officers who work in our ridings are all volunteers; they are all working hard—

An hon. member: In your riding?

Mr. McFadden: In my riding as well; they are all working. I would not like to see them bogged down worrying about what they could or could

not pay. Therefore, this amendment is intended to permit the chief financial officer to pay those expenses that are incurred during the administration of that constituency association during the period from deregistration until the new riding association is created. That will help to remove any shadow of doubt as to what the chief financial officer can legitimately pay.

As I mentioned, I felt the earlier wording was a little confusing and perhaps a little too restrictive. I think this wording will allow the chief financial officers of all the riding associations to be able to carry on with the administration of their riding associations in the ordinary course. Therefore, I ask for support of this amendment.

Hon. Mr. Nixon: We feel the amendment is worth while, and we will accept it.

Motion agreed to.

Hon. Mr. Nixon: I would like to return to the comment made by the member for Dufferin-Simcoe (Mr. McCague). I have checked with the officials, and while I agree there is a certain confusion in the wording—it actually came from the Commission on Election Contributions and Expenses originally—their interpretation is that the chief financial officer has personal and legal responsibility for the trusteeship and the expenditure of those funds. It is not two funds. He/she is empowered to spend money to pay the debts that are properly approved, and anything beyond that is passed on through an appropriate formula to the succeeding constituency or constituencies.

I hope the honourable member will accept that. I cannot give a better explanation. I think it is okay.

Section 12, as amended, agreed to.

Sections 13 to 38, inclusive, agreed to.

On section 39:

Mr. Chairman: Carry on, member for York East.

Mr. Cousens: No; it is York Centre. If I got re-elected under the new guidelines, it would be the riding of Markham, but by the way we are going, I have fears for anyone who is running in a large riding. Because of that, I move that subsection 39(2) of Bill 103 be amended by striking out "\$0.25" in the 11th line and inserting in lieu thereof "\$0.50."

Mr. Chairman: Mr. Cousens moves that subsection 39(2) of Bill 103 be amended by striking out "\$0.25" in the 11th line and inserting in lieu thereof—

Hon. Mr. Nixon: Dispense.

Mr. Chairman: —“\$0.50.”

Mr. Cousens: I like the way the member for Brant-Oxford-Norfolk says “dispense.” They would dispense with the truth if they could. We cannot.

Mr. Breagh: Oh, this is a real good way to get your amendment carried.

Mr. Cousens: I take it back.

Mr. Breagh: I do not mind being inept, but the member carries it to extremes.

Mr. Cousens: I do not want to do that. I want support if I can get it. When I have the member for Brant-Oxford-Norfolk not wishing me the best of luck in the next election, that makes me work all the harder to try to get this through.

It could apply to some of the other members here. Who knows? If one has a large riding, the costs involved in that process are such that there should be recognition in this bill for the size of campaign that is mounted. The thing that is going to happen is that the person who goes over the amount is going to be charged. That has happened under the federal legislation. There have been all kinds of charges. Let us put it in the bill now so that those who have large ridings to serve can be compensated in the provision of this amendment.

I beseech the member for Brant-Oxford-Norfolk. I am sure it is not unanimous even within his own party that all members want to see someone such as myself or others from large ridings suffer a disadvantage. It could well be the member for York North (Mr. Sorbara) or members for the new riding of York Centre or the new riding of St. George-St. David.

Mr. Mancini: Who is going to support it?

Mr. Cousens: We do not know about the member for Essex South (Mr. Mancini).

I present this in the spirit of the best interests of the people of Ontario. Rather than continue to talk about it, I trust other members will support it.

Hon. Mr. Nixon: The honourable member may have hit a chord when he indicated that some of my colleagues are more enthusiastic about his amendment than I am. At the risk of endangering party unity in this matter, it is my intention to use whatever influence I have to save the member and some others from themselves. I believe that the simple presentation of the policies and the abilities of the individual, with the \$50,000 that is envisaged to be the campaign amount, will be sufficient. On that basis, we do not intend to support his amendment.

Mr. Cousens: Just to make another point, the riding I am talking about could well be double the size of the average riding in Ontario within five years. It could be three times the size of another riding within 10 years, before we get redistribution again. For that reason, I plead that there be consideration for those ridings that end up growing to such an extent.

Can there be a free vote on this? Perhaps the House leader of the number one party this week can agree to a free vote.

Mr. McFadden: My colleague the member for York Centre (Mr. Cousens) seems to be on his own in speaking on behalf of his amendment. I suggest his amendment is a relatively small increase from 25 cents to 50 cents per voter. For a riding such as mine, which has a fairly static population, it is not an issue. I suggest to those members—and it is not just the member for York Centre; other members are going to be affected by major population increases within their ridings—that it hardly defeats the spirit of this section of the bill to make the amendment suggested by the member for York Centre.

Given the fact that certain ridings have special problems, particularly where they are adding hundreds and thousands of people to the riding over two, three or four years, I do not believe it in any way defeats the principle or the purpose of the restraints placed on spending under section 39. I think it is reasonable and I suggest it will be helpful, not just to the member for York Centre but to other members faced with this situation, if this amendment were to be looked on not as an unfriendly amendment or an amendment in any way to defeat the purpose of the bill but as an amendment that is reasonable in the circumstances the member for York Centre and others face.

6:30 p.m.

Hon. Mr. Nixon: Although my knowledge of the bill is encyclopaedic, it has been brought to my attention that subsection 4(3), at the bottom of page 7, states: “The commission shall, within 60 days following the campaign period in respect of each general election, make recommendations to the Speaker of the assembly with respect to...changes in limits on campaign expenses.”

Mr. Chairman: May I draw the honourable member’s attention to the clock?

Hon. Mr. Nixon: I guess so. I move that the committee rise and report.

Mr. Chairman: Mr. Nixon has moved that the committee rise and report.

Hon. Mr. Nixon: Wait a minute. Perhaps this one could be disposed of before we rise.

Miss Stephenson: Read the remainder of that section.

Hon. Mr. Nixon: The honourable member is interjecting and asking me to read some more. It says "changes in limits on campaign expenses which may be incurred during a campaign period by candidates or political parties." The rest of the

section is lengthy and I do not have time to read it.

Miss Stephenson: It says, "and the Speaker shall cause such recommendations to be"—

Mr. Chairman: I am sorry. Standing orders say the committee must rise.

On motion by Hon. Mr. Nixon, the committee of the whole House reported progress.

The House adjourned at 6:30 p.m.

CONTENTS

Tuesday, July 8, 1986

Members' statements

| | |
|--|------|
| Commentaires d'un ancien membre, Mr. Villeneuve | 2205 |
| Family violence, Ms. Gigantes | 2205 |
| Small businesses, Mr. Ferraro | 2205 |
| Commentaires d'un ancien membre, Mr. Guindon | 2205 |
| Exposure to asbestos, Mr. Martel | 2206 |
| Twinning of cities, Mr. Cordiano | 2206 |
| Former member's comments, Mr. Pope | 2206 |

Statement by the ministry and responses

| | |
|---|------|
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet: | |
| Northern development, Mr. Bernier, Mr. Rae, Mr. Wildman | 2207 |

Oral questions

| | |
|---|------|
| Bradley, Hon. J. J., Minister of the Environment: | |
| Control orders, Mrs. Grier | 2217 |
| Elston, Hon. M. J., Minister of Health: | |
| Doctors' fees, Mr. Rae | 2212 |
| Extra billing, Mr. Andrewes | 2214 |
| Extra billing, Mr. Stevenson | 2216 |
| Fulton, Hon. E., Minister of Transportation and Communications: | |
| Urban Transportation Development Corp., Mr. Gregory | 2217 |
| Grandmaître, Hon. B. C., Minister of Municipal Affairs: | |
| Rental accommodation, Ms. Gigantes | 2216 |
| Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services: | |
| Prison facilities, Ms. Bryden | 2215 |
| Munro, Hon. L. O., Minister of Citizenship and Culture: | |
| Investment in the Arts, Mr. Callahan | 2214 |
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet: | |
| Former member's comments, Mr. Villeneuve, Mr. Guindon, Mr. Grossman | 2209 |
| Northern development, Mr. Rae | 2210 |
| Northern development, Mr. Wildman | 2213 |
| Riddell, Hon. J. K., Minister of Agriculture and Food: | |
| Release of report, Mr. Stevenson | 2218 |
| Scott, Hon. I. G., Attorney General: | |
| Abortion clinic, Mr. Grossman | 2212 |
| Public complaints legislation, Mr. Callahan | 2216 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Workers' Compensation Board, Mr. McClellan | 2215 |
| Exposure to asbestos, Mr. Martel | 2218 |

Petitions

| | |
|---|------|
| Roman Catholic secondary schools , Mr. Callahan, tabled | 2219 |
| Sale of beer and wine , Mr. McGuigan, Mr. Villeneuve, Mr. Turner, Mr. Callahan, Mr. Leluk, Mr. Hayes, Mr. Grande, tabled | 2219 |
| Naturopathy , Mr. Callahan, tabled | 2221 |

Report by committee

| | |
|---|------|
| Standing committee on social development , Mr. Reville, tabled | 2221 |
|---|------|

Second readings

| | |
|---|------|
| Wine Content Amendment Act , Bill 97, Mr. Kwinter, Mr. Andrewes, Mr. Breagh, agreed to | 2221 |
| Representation Act , Bill 77, Mr. Nixon, Mr. South, Miss Stephenson, Mr. Rowe, Mr. McCague, Mr. Hayes, Mr. Mancini, Mr. Wrye, Mr. D. W. Smith, Mr. Barlow, Mr. McClellan, Mr. Pollock, Mr. Leluk, Mr. Turner, Mr. Wiseman, Mr. McGuigan, Mr. McLean, Mr. Sterling, agreed to | 2222 |
| Election Finances Act , Bill 103, Mr. Nixon, Mr. McClellan, Mr. McFadden, Mr. Cousens, agreed to | 2232 |

Committee of the whole House

| | |
|---|------|
| Representation Act , Bill 77, Mr. Nixon, Mr. Leluk, Mr. McClellan, Mr. Foulds, Mr. Sterling, Mr. McLean, Mr. Barlow, Mr. Jackson, reported | 2232 |
| Election Finances Act , Bill 103, Mr. Nixon, Mr. McCague, Mr. McFadden, progress reported | 2237 |

Other business

| | |
|--|------|
| Baseball game , Mr. Breagh | 2219 |
| Tabling of information , Mr. Bernier, Mr. Speaker | 2219 |
| Adjournment | 2244 |

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
 Barlow, W. W. (Cambridge PC)
 Bernier, L. (Kenora PC)
 Breagh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Callahan, R. V. (Brampton L)
 Cordiano, J. (Downsview L)
 Cousens, W. D. (York Centre PC)
 Edighoffer, Hon. H. A., Speaker (Perth L)
 Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Ferraro, R. E. (Wellington South L)
 Foulds, J. F. (Port Arthur NDP)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Grande, T. (Oakwood NDP)
 Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
 Gregory, M. E. C. (Mississauga East PC)
 Grier, R. A. (Lakeshore NDP)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Guindon, L. B. (Cornwall PC)
 Harris, M. D. (Nipissing PC)

Hayes, P. (Essex North NDP)
Jackson, C. (Burlington South PC)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Leluk, N. G. (York West PC)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McFadden, D. J. (Eglinton PC)
McGuigan, J. F. (Kent-Elgin L)
McLean, A. K. (Simcoe East PC)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
Pollock, J. (Hastings-Peterborough PC)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Scott, Hon. I. G., Attorney General (St. David L)
Smith, D. W. (Lambton L)
South, L. (Frontenac-Addington L)
Stephenson, B. M. (York Mills PC)
Sterling, N. W. (Carleton-Grenville PC)
Stevenson, K. R. (Durham-York PC)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Turner, J. M. (Peterborough PC)
Villeneuve, N. (Stormont, Dundas and Glengarry PC)
Wildman, B. (Algoma NDP)
Wiseman, D. J. (Lanark PC)
Wrye, W. M. (Windsor-Sandwich L)



No. 45

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament
Wednesday, July 9, 1986

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, July 9, 1986

The House met at 2 p.m.

Prayers.

MEMBERS' STATEMENTS

SMOKING IN THE WORK PLACE

Mr. Sterling: Later today, I will be introducing a private member's bill that will amend the Occupational Health and Safety Act to provide for the control of smoking in the work place.

In essence, this legislation will ensure that no employee will be unwillingly exposed to tobacco smoke in the work place at the level of concentration injurious to health. It will allow a worker to request his or her employer to act to alleviate conditions if the worker believes his or her health is at risk. If the employer does not comply and the conditions are not alleviated within 10 working days of the complaint, the worker may request an investigation by an inspector.

While the inspection is under way and the written report being prepared, the employer must provide a smoke-free environment for the employee to continue working or else the employee will not be required to report for work during that period. Under this legislation, an employer may prohibit smoking in the area of the work place. However, he also may designate, if he so wishes, specific ventilated areas as smoking areas.

This legislation is a sequel to Bill 71, which now has received the support of 20,000 people in Ontario. I believe this legislation is long overdue and much needed by our society. It will give people in the work place a healthy environment in which to work in Ontario.

SMALL BUSINESSES

Mr. Laughren: New Democrats believe small businesses have a tough time surviving because the deck is stacked against them. Federal and provincial tax breaks usually favour big corporations, not small businesses. In the retail sector, independents get gobbled up by multinationals while the government watches. Yet in the past 10 years, small companies have been Ontario's best job creators. Most young people get their first jobs with small businesses, and job

creation in the 1980s will need the contribution of small businesses.

It is my belief that, especially in the early years of operation, small businesses often require and deserve special initiatives if they are to survive and grow. In everybody's interest, these initiatives should be directed at specific job creation activities. Instead, in Ontario, the bakery field, for example, is dominated by two major bakeries, Corporate Foods and Weston.

New Democrats share the real concerns of independent bakeries throughout Ontario that a determined effort is being made by these two giants to squeeze out the independents by a campaign of predatory pricing practices. In Sudbury, there are a couple of independent bakers. One of them, Cecutti's Bakery Ltd., with 115 employees, is one of Sudbury's largest private sector-employers. However, it will not be able to compete with a bakery giant that sells bread at below cost.

This government has an obligation to protect the independent bakeries all across Ontario. This province needs legislation along the lines of the Quebec model, which prohibits the use of bread as a loss-leader.

NORTHERN DEVELOPMENT

Mr. Rowe: I would like to bring to the attention of the government and the Minister of Tourism and Recreation (Mr. Eakins), who no doubt bragged yesterday about government initiatives for tourism in the north, an example of how this government handles information for tourists in the north as reported in the Kirkland Lake Northern Daily News.

A reporter from the Kirkland Lake Northern Daily News called the toll-free number published in province-wide ads and asked for information about tourist attractions in the area. The tourism counsellor told the reporter that Kirkland Lake has little in the way of accommodation or family attractions. The counsellor said: "Kirkland Lake is mostly a half stopover. I do not think you would want to stay there for more than a day." The response to this and another call has local officials angry and the ministry wondering what happened.

Before the minister and his government attempt to solve the problems of the north with Band-Aid solutions such as throwing \$5 million at the tourism industry in the north, a mere eight per cent of the total \$60 million allotted and an insult to the greatest industry and the second largest in Ontario, I suggest the minister find out what is going on in his ministry before he opens up another box of Band-Aids.

Mr. Morin-Strom: I want to respond to the announcements made by the Premier (Mr. Peterson) and his cabinet colleagues in Sault Ste. Marie yesterday. I am pleased the government has finally responded to the economic crisis facing the Sault. When this session of parliament opened in April, the first item of business brought before the Legislature by the New Democratic Party was an emergency debate on the economic crisis facing the Sault and Algoma district. The debate resulted from Algoma Steel's announcement of a major down-sizing of operations, with 1,500 new layoffs to be added to an unemployment rate that already approached nearly 20 per cent.

The member for Algoma (Mr. Wildman) and myself followed that up with a motion referring the Sault's economic crisis to the standing committee on resources development for review, a review we were able to get over the original objections of the Premier himself. I am pleased that committee produced an excellent report, issued last month, to form the basis for the government's action.

Clearly, I speak for everyone in Sault Ste. Marie when I express a positive reaction to the initial steps announced by the government yesterday. However, there is much that remains to be done to assure the long-term economic stability of Sault Ste. Marie.

For example, while \$5 million was committed to waterfront development, there was no mention of support for a major tourist attraction that is needed to complement the Algoma Central Railway tour train. We also had no response to the major ski resorts proposed for the local area. Most important, we need a solid industrial base for the Sault's economy. We need secondary industry to complement Algoma Steel. This is a start, but we have much left to do.

CEDAR SPRINGS CHERRY FESTIVAL

Mr. McGuigan: I wish to invite members to the Cedar Springs Cherry Festival on Saturday and Sunday, July 19 and July 20, in my home community. Orchard tours, demonstrations of mechanical cherry harvesting, slide shows on

processing and a chance to sample cherry pies baked by the women of the Cedar Springs United Church, will be the reward of all those who attend.

Also in attendance at the Canadian cherry-pit spit contest will be the newly crowned world champion, Joe Lessard of Blenheim. Last Saturday, Joe competed against champions from eight countries at Eau Claire, Michigan, and earned a spot in the Guinness Book of World Records. He defeated the three-time world champion spitter while fighting a heavy head wind.

All members are invited to watch from the bleachers or take part in the special VIP-class cherry-pit spit. Last year, I won the consolation prize, and I would appreciate someone taking that honour from me.

BACK-BENCHERS' QUESTIONS

Mr. Rowe: As this first sitting of the House under the new rules draws to a close, I want to take a moment to comment on one of the newest phenomena in this House, the sudden profusion of deep, probing and insightful questions from the government back benches.

Mr. Speaker, I would particularly like to remind you of the very notable questions from the members sitting along the back row farthest from your chair. I have put my comments in verse form for your added benefit:

There once was a back-bench row,
The lobs they were trained to throw.
They thought it was cunning
To keep the clock running
When the Premier had a poor show.
There is a Brampton member named Bob,
The Premier gave him a job.
"Be none too discreet
When I feel the heat.
Jump up and throw me a lob."

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: We all recall that the Minister of Labour (Mr. Wrye) made a tough statement in November about repeat orders. The nonsense about repeat orders was going to be discontinued and firm action was going to be taken. I am amazed at either the minister's inability to act or the fact that he is not getting all the information.

I have before me a case involving the ironworkers where an inspector wrote 11 consecutive orders against the same company for the same infraction. I want to know where all this huffery and puffery is leading us when we can have 11 repeat orders for the same violation

regarding ventilation and the minister cannot seem to get his house in order.

It is strange that on the 11th visit, the same inspector saw the workers violating a section of the act and threatened to take them to court right away. I find it passing strange that we can have the huffery and puffery, the repeat orders over and over again that were supposed to cease, but when the workers are caught for the first time they are threatened with going to court. I hope the minister can clean up the swamp.

2:13 p.m.

STATEMENTS BY THE MINISTRY AND RESPONSES

HIGHWAY CONSTRUCTION

Hon. Mr. Fulton: I would like to inform the members of my ministry's efforts to ensure that highway construction, both new and continued, is given the priority it deserves in northern and southern Ontario.

More than \$800 million will be spent on construction of Ontario roads and highways in the 1986-87 fiscal year. Our highway construction program will involve a \$248-million commitment. We are subsidizing municipal road construction in the amount of \$299 million, generating approximately \$525 million in total expenditures, including the municipal share.

Projects will include work on 103 bridges, comprising 17 new structures, 78 structural rehabilitations and eight structure replacements. In the provincial highway system, we have planned a total of 855 kilometres of construction work, primarily on two-lane roads, involving 279 kilometres of paving, 231 kilometres of grading and paving and 192 kilometres of grading only.

I would like to take this opportunity to outline for the members a few of the year's highlights.

In southwestern Ontario, work will continue on the E. C. Row Expressway and on Highway 403 to complete the section from Oxford county road 14 to Highway 401. A contract will also be tendered for a new section of a four-lane freeway between Highway 8 and Highway 401 in the vicinity of Freeport Drive.

In the Hamilton region, efforts are continuing to relieve the current heavy rush-hour traffic and operational problems. We shall carry out capacity improvements on the Queen Elizabeth Way corridor between Burlington and Hamilton.

This project complements the fine efforts of my ministry in making many major and minor improvements in that area, including the widening of the QEW between Highways 2 and 403,

and work on the Burlington Bay Skyway continues.

In the greater Toronto area, or GTA, we have scheduled construction of the northbound lanes of Highway 410 in Brampton from south of Vodden Road easterly and construction of the northbound lanes of Highway 410 from Steeles Avenue north to just south of the CNR line.

On the list of the ministry's continuing projects in the GTA is the construction program for Highway 404 from Highway 401 north towards Newmarket. Work will begin on the final phase, completing the 26-kilometre freeway to Davis Drive in Newmarket.

In the Ottawa area, we are completing two major rehabilitation projects on Highway 417, the Ottawa Queensway, between Maitland Avenue and Bronson Avenue, with the next stage, Bronson to Main Street, expected for completion in the fall of 1987.

In addition, a four-lane, limited-access highway will be constructed to accommodate large traffic volumes on Highway 35/115 and Highway 2 northerly to Enterprise Hill.

This year will also mark the construction of a new interchange, the Taylor Road interchange, on Highway 11 at the north entrance of Bracebridge. This project will include a landfill service road running from Taylor Road north for one kilometre.

My ministry, together with the Ministry of Northern Development and Mines, is undertaking a number of projects. These include a route designed to reduce traffic congestion within Sudbury and connecting Highway 144 east of Chelmsford and Highway 17 west of Lively.

A new bypass for the Kenora, Keewatin and Jaffray-Mellick area is under construction; it is designed to alleviate traffic congestion on the Trans-Canada Highway through Kenora. Construction will also be completed this year from the west branch of the Winnipeg River east five kilometres to secondary Highway 658. Included will be a structure over the east branch of the river.

Continuing this year will be our remote-airport construction program, with major expansion of the Ogoki airport. Work is also set to begin on the Peawanuck airport and will continue at the Kingfisher Lake and Muskrat Dam airports. Last year, we opened Kasabonika and Cat Lake airports.

These are only several examples of the efforts my ministry is making to provide first-class transportation systems throughout the province. For further information on these and other

projects, members and others will shortly receive copies of this year's construction project book.

Mr. Gregory: I would like to comment, generally favourably, on the announcements today by the Minister of Transportation and Communications of some long-awaited road construction. Perhaps the only criticism I can offer is that most of these items are about one year late; some of them have been announced more than one time.

For example, the airport construction was announced by the member for Kenora (Mr. Bernier) when he was Minister of Northern Affairs. That was quite a while ago. I am glad the minister is following up on these and we are finally going to get something done. Also, mention was made of the Ottawa Queensway, which was supposed to have been completed this fall; it is nice to know the ministry now is going to begin it.

Noticeably absent from the statement is any money designated for improvements to roads in the Metropolitan Toronto area to accommodate and complement the domed stadium. I suspect the minister is going to have to think about doing that very soon. He cannot leave it until next year or the year after to do that, or else the whole project will be an abject failure.

HERBICIDE SPRAYING

Hon. Mr. Kerrio: I would like to advise the House today that I have asked officials of my ministry to undertake a full investigation into the possibility that tree planters working for the Cedar Snag Silviculture Co. in the Blind River district were accidentally sprayed with the herbicide 2,4-D.

Reports indicate that on June 30 the herbicide 2,4-D was applied to a site in a crown-land forest management unit in preparation for a burn prescribed by the Ministry of Natural Resources and scheduled for the spring of 1987. There is a possibility the herbicide was accidentally sprayed over a portion of a nearby tree-planting area.

A special Ministry of Natural Resources team headed by Ron Reffle of the ministry's forest resources branch is conducting a full investigation. The investigation will attempt to determine whether approved application procedures were employed during the spray operation, review the Ministry of Natural Resources' procedures for herbicide spraying and gather all available information on the possible health effects of the exposure to 2,4-D.

Mr. Reffle is also working closely with staff of the Ministry of Labour and the Ministry of the Environment, who are also carrying out separate investigations. The Ministry of Labour, under the Occupational Health and Safety Act, is determining the amount of herbicide the tree-planters may have been exposed to and how such incidents may be prevented in the future. The Ministry of the Environment is sampling soil and vegetation in the area to determine the extent of the spraying. It will investigate also the procedures followed by the operator of the spray plane.

My ministry is committed to the safe application of all pesticides. I will keep this House advised of all the findings of this investigation.

Mr. Speaker: There are quite a number of private conversations. Will the members dial down the volume on those, please?

Mr. Bernier: I would like to respond to the statement of the Minister of Natural Resources. First, I thank him for bringing this information to the House. However, I find it a little shocking that the minister has to bring a statement such as this, from which we learn that tree-planters are being sprayed with pesticides and herbicides containing 2,4-D, to the Legislature. The minister is very much aware that this item is on the minds of people right across the north and even in southeastern Ontario. Surely the minister can use his influence to impress upon the people using this product to be more careful and more protective.

In addition, there is a growing concern in northern Ontario with respect to prescribed burns. There is a very strong rumour in Red Lake—there are no facts to prove it—that fire 7 may have been started by prescribed burns. I urge the minister to use his influence and the office he holds to impress upon people the need to use more care and caution in using these herbicides and with prescribed burns.

Mr. Foulds: This is a born-again environmentalist if I ever heard one—Mr. Spray-and-Burn himself.

Mr. Ashe: Better to be born again than never to be born.

Mr. Foulds: He was the minister who had a scorched earth policy.

Mr. Speaker: Order.

Mr. Laughren: I wish to respond briefly to the Minister of Natural Resources concerning the application of chemicals for herbicidal purposes. I hope this will serve as a warning to the minister that as soon as we start spraying chemicals on the forest, it is out of his control. That is why we

were so adamantly opposed to the spraying of chemical insecticides for the purposes of the budworm kill.

I understand this is different, that it has to do with a herbicide application, but it is still a chemical being applied to our forests. I suggest that the people who are applying these chemicals know a lot more about how to kill in the forests than they know how to preserve and conserve what is in our forests. I hope the minister understands clearly and accepts this as a serious warning that what is being done in our forests is not under the control of the people who are applying the chemicals.

APPOINTMENTS IN PUBLIC SECTOR

Hon. Mr. Kwinter: I am pleased to announce my intention to introduce later today four separate pieces of amending legislation that will alter substantially the hiring practices of the Liquor Control Board of Ontario, the Liquor Licence Board of Ontario and the land registration system of this province.

As noted in the speech from the throne on April 22, 1986, this government is committed to ending the practice of LCBO hiring by order-in-council appointment. The amendments to be introduced today will live up to that promise and will go further, to include all staff employed by the liquor licence board as well as land registrars employed in Ontario's 65 land registry offices. The combined effect of the amendments will be to give the same fair and impartial hiring and employment standards to employees of these agencies as are enjoyed by all other civil servants.

The entire issue of order-in-council appointments, particularly as it has applied to the two liquor boards, has been a source of continuing public complaint since this government assumed office last summer. Clearly, the time has come for change. The same fair standards will apply to those seeking positions as registrars in the province's land registry system. Until now, they too had been appointed by order in council by the government of the day.

This government is committed to open and impartial hiring practices based upon the applicants' qualifications and seniority, not the applicants' political affiliations.

SUNCOR HOLDINGS

Hon. Mr. Nixon: I wish to table a report I have received from John Kruger, our special adviser, concerning the government's interest in Suncor.

As members will see, the firm of Dominion Securities Pitfield, which was retained to do the evaluation, has placed the value of our 25 per cent interest at between \$87 million and \$169 million, compared with the \$650 million that was paid for it in 1981.

In his report, Mr. Kruger outlines the various steps taken in an unsuccessful attempt to dispose of the shares. While our negative view of that investment has not changed, we accept Mr. Kruger's conclusion that it would not be prudent to dispose of the shares at this time. However, we will continue to keep the matter under review.

POLLUTION CONTROL

Hon. Mr. Grandmaître: Today, I will be introducing legislation that will greatly assist Metropolitan Toronto in its efforts to make its waterfront cleaner and healthier for Metro residents.

As members of the Legislature are aware, current provincial legislation specifies that revenue from the sale of water must be used to cover only expenses associated with the waterworks system. The bill I will be putting before the House today, at the request of Metropolitan Toronto, will permit the municipality to use surplus revenue from the sale of water to pay for water pollution control projects. This will allow the municipality to accelerate the implementation of necessary pollution control measures. By ensuring that this surplus revenue is used for pollution control projects, we will be helping to protect the water supply for the citizens of Metro Toronto and others who use Metro's water.

At the same time, this bill is in keeping with our policy of encouraging municipal autonomy. The bill will give Metro Toronto more discretion in the way it allocates money to projects that are important to the municipality.

The pollution control measures to be undertaken with this money are essential. Giving Metro the flexibility to use these funds for this purpose means the measures can be implemented more quickly than if the municipality had to raise the money in some other way.

Clean water is one of our scarcest and most important resources. It is vital that we do whatever we can to help improve the quality of water in Lake Ontario.

Mr. Partington: Legislation being introduced today by the Minister of Municipal Affairs will permit Metropolitan Toronto to allocate \$30 million from the waterworks fund to sewage works. Metropolitan Toronto is to be commended for putting money into pollution control—we

all need a cleaner environment—but \$250 million is needed in Metropolitan Toronto alone.

The principle of taking from Peter to pay Paul is one thing—flexibility is important—but the minister should provide the funds to Metropolitan Toronto and the rest of Ontario so we can clean up our beaches. We need hundreds of millions of dollars, and much of it must come from the provincial government. I hope the minister will make the commitment.

Mrs. Grier: I have grave reservations about the statement we heard today from the Minister of Municipal Affairs. While I am all in favour of municipal autonomy, I am not at all sure the purposes upon which Metro wishes to expend this money are the most appropriate and will be co-ordinated with the initiatives we have seen from the Ministry of the Environment.

Many of us had hoped the \$30 million was to be used for improvements to the quality of drinking water. There was discussion about using this money for the construction of a pilot project with charcoal, granular activated-carbon filtration beds. The suggestion that this funding be used to separate storm sewers and sanitary sewers is worth while, but there may well be better expenditures on the building of retention ponds.

In addition, the projects that Metro is proposing through the use of this money, such as extending the sewage treatment plant outfall, will merely be solving pollution by dilution. We heard from the Minister of the Environment (Mr. Bradley) just last week that this is not appropriate. I hope the Ministry of the Environment will show some leadership and ensure that if this transfer takes place, it is not merely letting the Minister of the Environment off the hook by spending money from one source while saving it from another location.

2:31 p.m.

ORAL QUESTIONS

FORMER MEMBER'S COMMENTS

Mr. Grossman: My question is for the Premier. I want to invite the Premier to stand up this afternoon, without being equivocal and finding glib ways to get around the issue, and totally and completely dissociate himself, his party and his government from the remarks made by René Fontaine, alleging the Progressive Conservative Party wants to drive francophones out of this province.

Hon. Mr. Peterson: I did that yesterday. I was asked on my return, and I said I did not agree

with the analysis, nor do I think the Progressive Conservative Party is racist. That does not reflect my view or the view of the party I lead.

Mr. Grossman: The Premier has a candidate in a by-election which he and his party arranged, together with the former minister. As the Treasurer (Mr. Nixon) assured us yesterday, he will likely get the nomination and carry the colours of the Ontario Liberal Party into that election with pride.

Given the kind of promise that he would be reappointed to the cabinet, will the Premier require his candidate to issue publicly a total withdrawal and apologize to the residents of Cochrane North and the members of this House who have been misled by those outrageous statements?

Hon. Mr. Peterson: I very clearly laid forward my views on the situation. Mr. Fontaine, to whom the member refers, is not a member of this House, a member of the executive council nor the Liberal candidate. He is speaking on his own. I do not agree with his analysis. I said that quite clearly. I do not have the power to control him any more than I have the power to control the Leader of the Opposition.

Mr. Grossman: May I say to the leader of the government that he has the power to say to someone, whom he has already indicated he may well reappoint to the cabinet, that unless he withdraws those remarks and apologizes totally and completely, he will not reappoint that person to the cabinet if he succeeds in the by-election. That is the power he has over the candidate. I suggest it is his responsibility to set that code of conduct and that standard for prospective members.

Hon. Mr. Bradley: Do the Conservatives remember the campaign they ran in the Carleton by-election in 1980?

Mr. Grossman: To the member for St. Catharines (Mr. Bradley) I say, stand up and endorse the remarks of Fontaine or button it up.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Order. Once again, I will wait.

Mr. Grossman: Will the Premier tell prospective ministers that any suggestion such as the member for Prescott-Russell (Mr. Poirier) made in the hall yesterday and such as the Minister of the Environment is now trying to make, both to justify and join hands with René Fontaine, is inexcusable and unacceptable? Will he exercise his power to say to René Fontaine, "Unless you

withdraw that, you will not serve in the cabinet of Ontario”?

Hon. Mr. Peterson: I do not think my honourable friend would want to go through the history of this whole discussion he raises today, because he would probably be extremely embarrassed about that. As I said, Mr. Fontaine is not a member of the executive council. As members know, his case will be reviewed by a committee of this Legislature. That and any other issue the honourable member would like to raise there or any other issues that his detectives would like to bring forward to discuss at that time would be welcome. I will review all of those facts as they come out before that committee before any decisions are made. I think that is very clear.

Interjections.

Mr. Speaker: Order. Would the members please allow other members to ask questions?

ALLEGED CONFLICT OF INTEREST

Mr. Harris: My question is for the Premier. He will know of the important role played by the Northern Ontario Development Corp. in helping to strengthen the northern economy. Basically, not one sawmill or mining road is built in the north without some form of financial assistance from NODC.

Noting the sensitive nature of the work being done by NODC, can the Premier explain why he appointed to its board of directors on May 9 a director of United Sawmill Ltd., who is also the president of Hearst Forest Management, the company that is currently negotiating with the government for a multimillion-dollar forest management agreement?

Hon. Mr. Peterson: As I told the honourable member, the United Sawmill Hearst area FMA has been under discussion for three or four years with the government, as I understand it. We also know the sensitive nature of that discussion; so we have asked for independent advice on that matter. That will be provided, I believe, by Dr. Baskerville and Mr. Spooner, who will come back and give the cabinet independent advice.

Mr. Harris: That is not the issue at all. I asked the Premier if he did not think it was inappropriate for the Premier to appoint to the NODC board of directors a man who is a director of Hearst Forest Management and president of United Sawmill, a company that is also negotiating on behalf of the sawmills in the Hearst area for an FMA. He did not answer that question.

Hon. Mr. Peterson: I think it is completely inappropriate if anybody uses his position to

advantage himself. If the honourable member has some suggestion of that, then I am very interested in hearing of that. I know of no evidence, but if he has something, I would be very interested in hearing it.

As the honourable member knows, we have appointed a wide range of people from northern Ontario with a variety of opinions, and I expect them to use good judgement with respect to the independent exercise of their judgement and opinions in these matters. I expect no one to take advantage of his position for any private gain. That is very clearly my view.

2:40 p.m.

Mr. Harris: We are dealing here with the former Minister of Northern Development and Mines. He owned shares in a mining company for considerable personal benefit, as we have seen. The former minister of mines then lobbied his cabinet colleagues to approve an FMA. He is still lobbying the Premier. Now we find one of his business associates has been appointed to the board of NODC by the Premier.

It would appear to me as though Mr. Fontaine has his finger in every economic pie in northern Ontario. I cannot understand why the Premier appears to be surprised that the members of this Legislature have serious concerns about the way the former minister of mines could not seem to differentiate between his personal interests and his public interests, because from the example the Premier sets, it does not appear that he can differentiate.

It was not the conflict-of-interest guidelines that were at fault; it was the Premier's refusal or inability to enforce them. When is he finally going to own up and take the responsibility for this mess?

Hon. Mr. Peterson: I understand the approach of my honourable friend; he would like to blame me for everything. Whether it has happened or not, he is prepared to make wild allegations. Frankly, I do not know what his allegations are. If he is suggesting that there is a conflict of interest, then I am very interested in having that information reviewed. I do not think anyone should profit from the situation. If the member is going to make loose charges, he should make them very specific. He should tell the people of this province what he is alleging so they can judge for themselves.

Mr. Gillies: The Premier is getting too predictable.

Interjections.

Mr. Gillies: It is too predictable.

Mr. Speaker: Order, the member for Brantford (Mr. Gillies).

Hon. Mr. Peterson: Is the member suggesting we should give him a lottery licence?

[Later]

Hon. Mr. Peterson: On a point of order, Mr. Speaker: A little earlier, I was asked a question to which I now have the answer. Honourable members opposite may want to hear it.

Mr. Speaker: For which member?

Hon. Mr. Peterson: The member for Nipissing asked me a question about some chap we appointed to the Northern Ontario Development Corp. I have determined that it is Roland Cloutier. His was a reappointment. He had been appointed by the previous government. He is a retired manager of United Sawmill. He had been a Tory for more than 20 years, a key campaign manager and adviser to René Brunelle.

Mr. Grossman: Good try. He was not a reappointment, he was your appointment. Staff let you down again.

Mr. O'Connor: Wrong guy.

Hon. Mr. Peterson: We are trying to be fair. Do members opposite not like these Tory reappointments? If they are advising me to yank him off tomorrow, I will take it under advisement.

Mr. Speaker: Order.

NORTHERN DEVELOPMENT

Mr. Rae: While the Premier is arguing about lottery licences, I would like to ask him a question about the northern economy.

In the Premier's announcement yesterday, what would prevent a Kimberly-Clark, an Algoma Steel or a Kidd Creek from continuing the scenario that has been painted for over a half a century in northern Ontario? Companies go in and make substantial profits; then with poor management, a change in economic conditions or a change in circumstances, they pull out, leaving the community to fend on its own. What in yesterday's announcement increases the obligations of corporations, taking Kimberly-Clark as a specific example, to say the companies are going to have to continue their investments, are going to have to set money aside to ensure that communities will not be left high and dry by those corporations? What is he doing to ensure that corporations cannot simply hit and run the way they have been hitting and running in the north for half a century?

Hon. Mr. Peterson: I understand my friend's questions very well. I understand the enemies he is trying to find in a particular piece. It is a traditional socialist approach to the matter. Is he asking me if there is a law that says they cannot restructure or change with the changing times? If so, the answer to his question is that there is nothing in particular in that regard.

The people are looking at the things we are doing. We have given them a renewed faith in the north. We are working on some of their problems with competitiveness. By and large, there is great optimism because of the renewed interest in northern Ontario.

Mr. Rae: The Premier may find that describing something as socialist is a sufficient statement on its own. He should know that kind of cliché-ridden, sad approach went out a long time ago. He should look at what Rosehart said, at what Fahlgren said, a blessed memory of ancient times. They both said resource planning agreements with companies that are planning to invest in the north are a crucial feature in ensuring that northern communities will not be left high and dry. The Premier's determined Thatcherism aside, it is not going to do any good.

Can the Premier explain the government's reluctance to insist that corporations that have made good money—it is not a question of good guys and bad guys; it is question of their having made good money in good years—have programs in place that ensure that some of that money is set aside and reinvested in communities when economic circumstances change?

Hon. Mr. Peterson: The typical socialist approach is to look for enemies in this whole piece. I do not see it in those terms. I think the member will acknowledge, along with me, that these companies have had good times and bad times in the past. When they have good times, we tax them and we use those moneys for a variety of programs. He can say it is not enough. He would perhaps prefer a direct taxation program allocated specifically to the north, but we do it in a wide variety of other ways.

He is prepared to argue about the priorities and how much money is going there as opposed to how much is raised there. That is fair enough. We take the Rosehart proposals very seriously. We have reviewed them and we have acted on something like 25 per cent of them, although I cannot be specific. I think we have made an excellent start in addressing some of those problems.

Mr. Wildman: The Premier may believe that this is a traditional socialist approach, but his responses are traditional Tory ones.

If the Premier is not going to deal with the Rosehart report, I refer him to the Liberal policy paper for the north during the last election. It said: "Although there have been countless reports about northern Ontario from government committees, task forces and boards, the government's ad hoc policies have amounted to little more than 'a profile in failure'.... 'For decades, bureaucrats from Toronto have been coming forward with one program after another that was billed as the solution to your problems. You still have these problems.'"

Can the Premier explain what is different about the approach announced yesterday from the approach of the Tories, which was criticized by his own party in the last election campaign?

Hon. Mr. Peterson: Let me give the honourable member some independent views of the situation that are not as politically motivated. For example, Dennis Nelson, alderman for ward 4 and president of the Sault Ste. Marie and District Labour Council said: "There is no such thing as a quick-fix solution, but the programs being announced will help. Nothing is going to happen overnight." The member for Sault Ste. Marie (Mr. Morin-Strom), who graced us with his presence there yesterday, said it is an important stimulus for our economy.

No matter what we had done yesterday, it was predictable that the member would stand up and say it was not enough, or that he would say what the former governor of the north would say, "You are only throwing money at the problem, and it is not enough money."

I think there is a recognition that this is a serious commitment to address the problems, structurally as well as short term, and that the people of that community and other communities in northern Ontario take it as a significant new initiative. As the member knows, there is nothing I can do to solve the problems of the Sault or Algoma tomorrow by making them competitive, any more than I can do with Kimberly-Clark in Terrace Bay or anywhere else, but we are working on it. If he is asking me to go and punish these companies, if he is interested in going and beating them up, the answer to that question is no.

We have determined a new strategic approach that is going to bring co-operation between business and labour, as we have seen in a number of other areas, and help the people in the north solve their problems.

SOUTH AFRICAN INVESTMENTS

Mr. Rae: I have some questions for the Premier about South Africa. The figures for the

first quarter of 1986 are in and show that Ontario's exports to South Africa are up by 25 per cent. They are up from \$8.7 million to \$9.6 million and imports are roughly parallel. Will the Premier tell us what the government intends to do about these figures? At the same time as he is making great pronouncements, the actual economic relationship with South Africa appears to be growing practically daily.

Is the Premier not aware that in the United States at least 24 major cities and states have taken the step of saying that if companies do business with South Africa, they will not do business with that state or city? The situation is sufficiently grave that Salomon Brothers pulled out of South Africa precisely because it did not want to lose its underwriting business with a number of states.

When is the Premier going to get off the pot and do what needs to be done by saying to companies that deal with South Africa, "You have a choice: either deal with South Africa or deal with Ontario, but not with both"?

2:50 p.m.

Hon. Mr. Peterson: I discussed with the honourable member that we started moving on this question almost a year ago, before others had even thought of it and we used our power in that regard. We are looking at other ways to extend our influence with the Ontario municipal employees retirement system and other companies, expressing our point of view to transfer agencies and others in that regard.

The member for York South points out the trade figures. I was not aware of them. I am not sure who is doing it and I am not sure whether those companies are doing business with the government. Perhaps the member has some information I do not have. I would be happy if he would share it with me.

Mr. Rae: The Premier has been getting up in his place for the past two and a half to three months and saying the government is looking at it, studying it and exploring it; yet nothing has changed since the one announcement with respect to the Liquor Control Board of Ontario. Nothing has changed since that one announcement. Nothing has been done.

With respect to OMERS, is the Premier aware that on June 2 the Treasurer (Mr. Nixon) stated, "The Ontario municipal employees retirement system board has met and confirmed its views that it would invest in nothing associated with South Africa and would divest itself of anything it holds at present," but that is not the case? The OMERS resolution states: "The board opposes

the apartheid policies of South Africa and will not hold an investment in any organization that provides support for such policies so long as this is not inconsistent with the board's fiduciary responsibility."

Is the Premier aware of the discrepancy between that resolution and the facts as they were stated by the Treasurer on June 2, 1986?

Hon. Mr. Peterson: I am not sure I see a discrepancy. It is interesting. I talked last week with Mr. MacIntosh, who I believe is the chairman or the president of the OMERS investment policy committee. I told him very clearly the will of the government in this particular regard. He shared that objective. He told me he will divest in a financially orderly way. I assume the member is not recommending he dump all those shares tomorrow morning, particularly in this depressed market. They are going to be getting out of the situation as quickly as is financially responsible in the circumstances. That has been clearly established.

Mr. Foulds: The Premier will be aware that when Bishop Tutu addressed this Legislature he said: "I stand here appealing to people of conscience. Help us. Please help us. Our country is burning. Our children are dying." Can the Premier tell us one single step he has taken, after Bishop Tutu's appearance here, that will help Bishop Tutu and the rest of the South Africans throw off the yoke of apartheid?

Hon. Mr. Peterson: At the risk of telling the honourable member what is discussed in the cabinet, this matter was discussed in cabinet today as other situations and other initiatives are being examined with respect to transfer agencies and other areas where we do have some influence. Can the member tell me one question that he asked six months ago when we were working on this question? It is all very fashionable now, but we were there when it counted and a lot of other people are followers. The member should stand up in his place and admit that.

ALLEGED CONFLICT OF INTEREST

Mr. Pope: My question is to the Premier with respect to his curious mishandling of the Fontaine resignation. Last Thursday, when the Premier was questioned with respect to an article in the Kapuskasing Northern Times, he replied: "I am not familiar with the situation the member raises from the Northern Times." We see today from the Northern Times newspaper that the Premier several hours earlier had talked to a reporter with the Northern Times by the name of Wayne Major and had been informed about the

issue. The Premier fudged on the relationship of the forest management agreement and Mr. Fontaine's resignation last Thursday.

Today in Le Nord in Hearst, the newspaper headline is, "If the Agreement Is Not Signed, I Am Not Going Back to Queen's Park—René Fontaine." The following statement also appears: "I was not elected to make the people in Hearst suffer. I want this agreement signed before I return to the government. If not, I am not going to back," says Mr. Fontaine."

Mr. Speaker: Question.

Mr. Pope: Something the Premier fudged on last Thursday, in spite of the fact that he talked to the reporter of the Kapuskasing Northern Times a few hours earlier—

Mr. Speaker: Question.

Mr. Pope: —was that the Premier said he knew nothing about the Golden Tiger shares; yet Mr. Fontaine says on CBC radio that he did know about them all along.

Mr. Speaker: Order. Question.

Mr. Pope: Can the Premier now come clean and tell the people of this province what is going on?

Hon. Mr. Peterson: What is going on is that the member has been chasing the minister for several months now. He thinks he has some suggestions and some allegations as to what he has done, and they will all be reported in this House. That is what is going on. It will go before a legislative committee, and the member can ask any questions he would like to ask.

Mr. Pope: It is the Premier's performance we are talking about. The fact is that he stood up in the House last Thursday and said something when, hours earlier, he had talked to a reporter from the Kapuskasing newspaper; he denies any knowledge and his own member says he has that knowledge.

Will he table all the information in Mary Ebert's files with respect to the former Minister of Northern Development and Mines and make a clear statement to this House right now about what he has been doing about this issue for the last month?

Hon. Mr. Peterson: We offered some time ago to let the honourable member make all his suggestions and allegations in a committee. That is the proper place to do that. I am very happy to tell him what I know about the situation and what I have known at various times along the way. Surely that is the appropriate way to deal with the situation.

NORTHERN DEVELOPMENT

Mr. Morin-Strom: While I applaud the government's public sector announcements yesterday in Sault Ste. Marie on providing jobs for the north and moving ahead public capital spending in the Sault area, we still have to address the long-term solution, which requires industrial development and new secondary industry in northern Ontario.

My question of the Premier is related to the problem of the private sector economy not doing the job in the north and the fact that the Fahlgren report, the Rosehart report and the report of the standing committee on resources development on Sault Ste. Marie all have said that government intervention is needed in the northern economy if we are going to have an economy that will continue to grow and provide the jobs we need in the north.

Does the Premier support the recommendations from those reports for a technology centre to support northern Ontario industry, for regional incentives that will encourage new industrial ventures in the north and for a northern Ontario fund that will help communities diversify their economy?

Hon. Mr. Peterson: As I told the honourable member, and I am sure he is aware of it, we commenced yesterday with a number of initiatives. Those are by no means the end of what we are planning to do. We are assessing every proposal on its merits, commensurate with our capacity to pay. As I said, we have a number of very useful recommendations there, but I am not in a position to give the member an announcement today.

Mr. Wildman: At the risk of being accused of wanting too much and always being negative, I will ask the Premier for some specifics with regard to the standing committee's report. Can he indicate when the government will make a decision with regard to the studies of the proposed ski resorts north of Sault Ste. Marie as a way of stimulating jobs in the Algoma district? Can he indicate what, if anything, his government is doing with regard to the Algoma Central Railway problem with its freight rates, not the passenger or tour train, but the freight rate concessions that have been demanded by Algoma Steel Corp.? Finally, what efforts is the provincial government making to encourage the federal government to—

Mr. Speaker: I think a two-part question is ample.

Hon. Mr. Peterson: There were three questions. With respect to the last one, we have made a number of initiatives in the Wawa area. The member will be aware, with respect to the federal government, that local member of Parliament Jim Kelleher, the Solicitor General, said this morning from Ottawa, "The Premier is to be commended for the actions he has taken, and I fully support him."

What finer endorsement could one possibly have than from Jim Kelleher, the federal minister, in this regard?

With respect to the member's other point—

Interjections.

3 p.m.

Hon. Mr. Peterson: In my business, one takes credit wherever one can get it. I was quoting the member's colleague, who said it was good. I thought those two gentlemen would stand up and say, "Thank you very much for being so sensitive and for working with us towards meeting our aspirations in that area."

With respect to Algoma freight rates, there is a competitive problem. It costs roughly \$10 a ton to move ore from Wawa to Sault Ste. Marie. The reality is that they can move ore from the United States mine, the Tilden mine, about the same distance, for about \$6 a ton. That is one of the realities of the situation. There have been layoffs in the Tilden mine as well. Our job is to keep the railway going and to keep Wawa going.

The deputy minister will be having a meeting very shortly with the interested players, including the federal government, in this regard. We are concerned about that. One of the problems with the Algoma Central Railway is that there is a reasonably low freight base on which to put a portion of its costs. Obviously, we would like more traffic to do that. Algoma Steel is paying a disproportionate percentage of the overheads, which tends to make its freight rates higher.

What comes out of all this is that we are aware of the problem; and we, the railway, Algoma, the federal government and others are approaching the problem. I hope we can find a solution to the problem.

Mr. Speaker: The Attorney General has a response to a question asked previously by the member for High Park-Swansea (Mr. Shymko).

POLICE INVESTIGATION

Hon. Mr. Scott: I am puzzled that this question was asked of me. I presume it was asked by the member for High Park-Swansea because he did not have the temerity to ask the same question of members of the administration he

supported. The decisions, by and large, were taken under that ministry.

The investigation by the police into the activities of the York county sheriff's office took place in 1984. A determination, with which I have no reason to disagree, was taken at that time that it would not be appropriate, there being insufficient evidence, to lay criminal charges. That determination was not made by me but by my predecessors. There appears to be no reason to quarrel with it.

He then asked why Mr. Campbell was reinstated. The reality is that Mr. Campbell was discharged and filed a grievance that led to a hearing under the appropriate legislation. During the course of that grievance, it was established to the satisfaction of the hearing officer that he was acting under instructions from the sheriff, who had been discharged by that time, and that he was entitled to be reinstated. He was reinstated in government employment, not in the sheriff's office but in another office.

Mr. South: On a point of order, Mr. Speaker: I wish to correct information held and expressed in the House yesterday by the member for Lanark (Mr. Wiseman) in regard to—

Mr. Speaker: Order. Any member can get up and correct the record on what that member has said. What you are doing is disagreeing with what another member has said; you will find other occasions to disagree.

NORTHERN DEVELOPMENT

Mr. Pope: I have a question for the Premier and Minister of Northern Development and Mines. Can he tell me how his announcement yesterday in Sault Ste. Marie is going to protect the jobs of the laid-off steelworkers in Sault Ste. Marie, the laid-off iron ore miners in Wawa and the laid-off miners in Kidd Creek Mines?

Mr. Laughren: It was asked.

Mr. Pope: It may have been asked, but it was not answered.

Hon. Mr. Peterson: The question was asked, and far more eloquently, just a moment ago. The answer to the question in very direct terms is that the programs will do nothing for that situation now. However, they will broaden the economic base of those communities, bring more stability and bring new job opportunities. I think they will respond.

If the member is asking me for an act to prevent those layoffs or that restructuring, I am not in a position to do that any more than the member was in the position, as the then minister,

to prevent the layoffs at Inco. They lost about 10,000 workers under his leadership. He should not ask such silly questions. He knows that.

Mr. Pope: Let us talk about the leadership of the Premier in terms of job creation.

Mr. Speaker: By way of supplementary.

Mr. Pope: He is in charge of the Ministry of Northern Development and Mines. Can he explain to me why, at the very time he expresses such great concern about job creation in northern Ontario, his ministry, through its agency, the Ontario Northland Transportation Commission, is closing down all that railway's rail express offices in the Tri-town region of Kirkland Lake, New Liskeard and Timmins, at a cost of 20 jobs? Is that his idea of job creation in northern Ontario?

Hon. Mr. Peterson: Let us look at the facts here. In the programs we announced yesterday, thousands of jobs are being created for the short term as well as a number in the long term. We are responding to a difficult situation as best we can in the circumstances. I find it passing strange that those members and the former governor, who presided over the decline of the north and who did virtually nothing except run around the place or fly in, are now saying it is all our fault.

Mr. Grossman: What is the government doing about those offices?

Hon. Mr. Peterson: These problems have been coming for 10 years, and at least the people of the north now are sure they have a sincere and determined government here, and that is something they welcome.

AMATEUR HOCKEY

Mr. Martel: In view of the absence of the Minister of Tourism and Recreation (Mr. Eakins), I would like to ask the Premier a question. In May 1985, Dr. Charles Tator and Virginia Edmonds presented a report entitled Spinal Injuries Due to Hockey. There were 88 spinal injuries in Canada, including 53 spinal cord damages, 44 of them in Ontario. A national survey will start in the next two weeks for an update. Is the Premier aware that, with only the figures from Ontario present, the figure has risen from 88 to 94? Is there a government somewhere in Canada with the courage to put an end to the mayhem of these young men?

Hon. Mr. Peterson: I was not aware of the specifics raised by the honourable member, but I know he has a very sincere and ongoing interest in this subject, which is shared by a number of members of this House. The minister is con-

cerned about this, and I think in the reasonably near future he will have an announcement and approach to the question that the member may feel is leading towards a resolution of the problem. Of course, the member will want to give his advice.

Mr. Martel: I want to quote one paragraph of the most recent report I have received from Dr. Tator. "The most common mode of injury is a push or a check from behind with a slide head-first into the boards. Those affected are young men with a mean age of 17; half of them will be in wheelchairs for life."

Most of the accidents occur because of hitting from behind, which is a cowardly act to start with, and many of them occur because of the use of a stick as a weapon, the sort of action we would not condone anywhere except in arenas. Can the Premier tell me whether we are prepared to stop the mayhem? Somebody has to do it to protect these young people.

Hon. Mr. Peterson: It is interesting that hits from behind are considered quite normal in this House. However, the member makes a very good point. I do not mean to make light of the suggestions he makes.

As I said, the minister is addressing this issue. Frankly, I am not current enough to give the member all the details on that, but the minister will do that in the very near future, and he values the member's advice on this matter. I am sorry I cannot tell the member any more about it at the moment.

DASH-8 AIRCRAFT

Mr. Bernier: I have a question for the Premier and Minister of Northern Development and Mines. Now that he has returned from Sault Ste. Marie, the home base for the Dash-8 aircraft operated by norOntair, I am sure he will have the answer to my question.

I remind him that two Dash-8 aircraft purchased from de Havilland Aircraft in Toronto sprang that company loose; it is producing literally hundreds of airplanes. Those two aircraft were destined to fly in northern Ontario, one in the northeast and one in the northwest. The previous Minister of Northern Affairs confirmed to the people of northwestern Ontario on four separate occasions that those airplanes would fly in northwestern Ontario and bring to the people of northern Ontario the comfort and service they deserve and were destined to get from the previous administration.

Mr. Speaker: Question.

3:10 p.m.

Mr. Bernier: Now we read that Mr. Fontaine said on June 11 they were going to sell those two aircraft or lease them out. As the Minister of Northern Development and Mines, can the Premier confirm that he will sell those aircraft, or will he keep them and operate them in northwestern Ontario as the people want?

Hon. Mr. Peterson: I regret to tell the honourable member that I am not in a position to confirm or deny his information. I have been the minister for only about a week now, but I must say I am thoroughly enjoying it. The member must admit he has never seen such action in a week in northern Ontario.

I will check into the information the honourable member requests. I know he has a lot of experience with buying an aircraft and then selling it when an embarrassment comes about.

Hon. Mr. Nixon: Remember the jet? Did he really sell it?

Hon. Mr. Peterson: His former jet, which he traded for his executive water bombers.

I appreciate the question, and I will get back to the honourable member with the details.

Mr. Pierce: I know the Premier has been the Minister of Northern Development and Mines for only a little more than a week now. I also know he has been in the House for a couple of months, and he is aware of the hearings that were held by the Jack Stokes commission; he has made reference to them on many occasions. He knows of the recommendations of the Jack Stokes commission, and he knows of the commitment of the former Minister of Northern Development and Mines with respect to reporting to this House on the accident that took place in Sault Ste. Marie surrounding the Dash-8.

Will the Premier now give us an update on the Dash-8 service for northern Ontario and on what is being done with respect to the crash that took place in Sault Ste. Marie in December 1985?

Hon. Mr. Peterson: In my capacity as Minister of Northern Development and Mines, I will speak to the Premier and we will develop a consensus on this matter. We will get back to the member very shortly. I apologize to the honourable member that I am not completely on top of the situation, but I will get back to him.

Interjections.

Mr. Speaker: The member for Nickel Belt (Mr. Laughren) would like to ask a question if the other members will allow it.

BAKERY PRICES

Mr. Laughren: I have a question for the Minister of Consumer and Commercial Relations concerning the pricing practices of Corporate Foods and Weston bakeries. Those two companies control the market in Ontario. It appears they are discounting bread in an apparent attempt to drive the independent bakeries out of business so they can carve up the market between themselves at prices that suit themselves. Does the minister think it is appropriate to allow these two corporate giants to engage in these predatory pricing practices in which they treat bread as a loss-leader and then simply carve up the market between themselves when the independents are gone?

Hon. Mr. Kwinter: The member for Nickel Belt raises an interesting question. I should tell him, first of all, that combines and competition are under federal jurisdiction. Having said that, my ministry does monitor the price of bread very carefully. If we felt that concentration was affecting the consumers, we would make those representations to my federal counterpart.

Mr. Laughren: The minister seems to know a lot more about salami than about bread.

In Sudbury, Cecutti's Bakery has been in business for almost 80 years and employs 115 people. It is one of the larger private sector employers in the Sudbury area. It will not be able to compete for ever against these pricing practices by Weston and Corporate Foods.

First, will the minister launch an inquiry into the pricing practices of Corporate Foods and Weston? Second, will he introduce legislation, as Quebec has done, to prevent large bakeries from using bread as a loss-leader?

Hon. Mr. Kwinter: If the member will forward the details to me with his representations, I will be happy to send them to my federal counterpart and ask for his comments.

NORTHERN DEVELOPMENT

Mr. Pope: My question is to the Premier and Minister of Northern Development and Mines with respect to the northern Ontario programs of which he is so proud. He made much of his performance in the past week. His performance was so impressive that Dennis Abernot, president of Local 2251 of the United Steelworkers of America, is urging the New Democratic Party to support us and throw him out of office in northern Ontario.

Mr. Speaker: Is your question, "Does the Premier agree"? No? Question, please.

Mr. Pope: I have just received a disturbing telegram addressed to the Minister of Citizenship and Culture (Ms. Munro) from Chief Lindbergh J. Louttit. He is chief of the Wahgoshig band, which made an application under the Ontario native economic support program. It says:

"The Wahgoshig band is the most underdeveloped band in Ontario, having virtually no permanent shelter, no medical services, no transportation, no telephone communication, no hydro, substandard road access, no education facilities and only recently has established a drilled water well for a potable supply. Our children critically suffer from dysentery and bleeding bowel infections as a result of these substandard health conditions."

Is the Premier and Minister of Northern Development and Mines satisfied that this band has had to wait for seven months in these conditions and has yet to get an answer from the ministry that is administering the program?

Hon. Mr. Peterson: I apologize to the honourable member; I am not familiar with the circumstances he raises in his question. By way of preamble, he suggested a realignment of the accord. He always has the option of putting a no-confidence motion in this House and we will go to the people and test these things; he should feel free to do that. I gather that has taken a little of the bravado out of him. If he wants to send me a copy of the telegram, I will quickly investigate it and get back to him and to the chief.

Mr. Pope: For the benefit of the native bands and the people of northern Ontario, when is he going to ensure these programs are properly administered and get the bureaucracy off the backs of this band and make sure it gets proper accommodation and facilities?

Hon. Mr. Peterson: I will investigate the situation and get back to the member, but let me tell him one thing: if there is any apology to be given in this House about the way native people are treated in this province, the Conservatives are the ones who should be standing up and apologizing.

Interjections.

Mr. Speaker: Order. All interjections are out of order.

PROPERTY ASSESSMENT

Mr. Grande: My question is for the Minister of Revenue. Property taxpayers in the city of York are paying the highest property tax rates in Metropolitan Toronto, yet they have the worst services in the Metro area. More than 3,000

residents have signed a petition that I will introduce today attesting to this fact and demanding action by the government. Now that the reform of property tax at the Metro level appears doomed to failure and this regressive tax levied without regard to one's ability to pay still continues, will the Treasurer inform us as to his government's plans to reform the system of property taxation?

3:20 p.m.

Hon. Mr. Nixon: The honourable member will have received and read carefully the report I tabled from the Ministry of Revenue some months ago, written by a group chaired by the member for Waterloo North (Mr. Epp), my parliamentary assistant, called Taxing Matters. It had a proposal for far-reaching reforms that had been considered by the components of Metropolitan Toronto.

I agree with the member that the matter did not proceed as some optimists might have expected, but unlike the member, I do not feel the whole operation is dead. Further discussions will continue during the summer months. I do not, however, hold out much hope for the contention the member has made that property taxation should be abolished and replaced by an additional industrial tax, let us say, or whatever he is proposing. It seems to me that is overly optimistic on his part.

Mr. Grande: The Treasurer is aware of the situation. I want to quote from one of his recent correspondences to me, dated April 25, in which he says: "Our studies indicate the properties in the city of York are generally overassessed." He also knows Metro Toronto will decide against his market value assessment proposal. Can the Treasurer inform me in a serious way, because it is a serious problem in the city of York, what reforms will assist my constituents in the riding of Oakwood in coping with this regressive tax?

Hon. Mr. Nixon: Metro-wide reassessment is the approach most favoured by me. However, I think the honourable member is aware that the city of York is one of the smaller components of Metropolitan Toronto and that its assessment base is somewhat skewed—which is a word we use in the ministry—having to do with the balance pertaining to industrial, commercial and residential properties.

The matter is of concern, and I have to confirm to you, Mr. Speaker—I know you are concerned about this—the honourable member has written me repeatedly on this important matter, and up until now I have not been able to respond satisfactorily as to what policies the government

will bring forward that will reduce the taxes of the residents of his city.

My own alternative is Metro-wide reassessment, and I still feel this will occur at some time in the foreseeable future.

DRUG QUALITY AND THERAPEUTICS COMMITTEE

Mr. Andrewes: My question is to the Minister of Health. Can the minister confirm the resignation of three medical doctors from the Drug Quality and Therapeutics Committee?

Hon. Mr. Elston: I was mildly distracted, but I believe the question was, are there resignations? The answer is that there has been one temporary withdrawal from serving on the board as a result of the dispute, and there has been one retirement.

Mr. Andrewes: I understand three members of the medical profession have withdrawn their services from that committee.

I remind the minister of his comments to me in response to the question of November 22, when he said this about the committee:

"I can assure the members of the Legislative Assembly and the people of the province that we are vigilant in the Ministry of Health with respect to the drugs that are licensed and with respect to the quality of drugs that may be seen to be interchangeable or substitutional."

I want to ask the minister whether he can indicate how he expects this committee to function, to protect consumers and to do all the things he says he is prepared to do.

Hon. Mr. Elston: I can tell the public that there is a maximum membership of 15 members. Currently, we are reviewing the appointment of two new people to the board. As I said, one individual has withdrawn temporarily from serving on the committee. However, we do not function with just one or two people; we use the full mandate of the board. We rely on information that is submitted to us from other sources as well, but my information to the member and to the public is that the committee is functioning and that we continue to be vigilant; we also continue to look for people to serve on the committee when there are opportunities of appointing new people.

JANITORIAL SERVICES

Mr. Mackenzie: I have a question of the Minister of Labour. Is the minister aware that the cleaning contract between the Ontario Science Centre and Modern Building Cleaning Inc. expires on August 31 and is out for tender? Is he

also aware that the workers, who are members of Ontario Public Service Employees Union Local 549, find their jobs threatened because the science centre has not stipulated in the tender package that the workers are to be retained or that their working conditions, as outlined in the collective agreement, are to be maintained? In the tender documents, why has the centre referred only to the government's fair wage policy, which is more than \$1 an hour less than the workers are getting under their current contract?

Hon. Mr. Wrye: Obviously, since the Ontario Science Centre does not fall under my ministry, I am not aware of the tendering of that contract. I will take the matter up with the Minister of Citizenship and Culture (Ms. Munro) and look into it.

Mr. Mackenzie: The minister will be aware that the cleaners at the science centre have an average of 10 years of service and are paid only \$6.30 to \$7.40 an hour; that is the entire range. Why would these workers be denied the protection offered the staff at the Queen's Park complex, for example, where successful tenderers have to recognize the service, seniority, hours of work, wages and benefits of the workers? Is this not a clear double standard? What is the minister prepared to do to correct this gross injustice and guarantee the jobs and benefits of these workers?

Hon. Mr. Wrye: I understand the feelings of my friend opposite on this matter and that his party has expressed its concerns on a number of occasions on the cleaning contracts.

I have indicated in the past and indicate again today that we are looking carefully at this issue as part of a general review of the Labour Relations Act. I can only repeat what I promised the honourable member in answer to his first question: I will take it up immediately with the minister and see what can be done, even though the tenders have gone out.

TECHNOLOGY FUND

Mr. Barlow: The Premier is aware that Waterloo Region Shoe Manufacturers Ltd., a company owned by five different shoe manufacturers and whose resources are used by some 27 other shoe companies throughout Ontario, made an application to his government some five weeks ago for funding through the new high-technology fund to offset the cost of acquisition of a micro-dynamic computer-aided design/computer-aided manufacturing system and the addition of remote, on-line design terminals.

Can the Premier advise the House whether he has reviewed this application and whether he intends to provide this support, which is so badly needed by an Ontario industry that employs some 10,000 people?

Hon. Mr. Peterson: I am sure the honourable member would not want me to use political influence on this grant. His friend the member for Brantford (Mr. Gillies) might get all bent out of shape. I could not do that.

Mr. Barlow: It is not a matter of political influence in any way, shape or form. The letter came addressed to the Premier and was dated June 3, 1986.

When the Premier answered a question regarding the \$17.5 million that his friend Mr. Schwartz managed to secure prior to the establishment of the Premier's council, his own words were, "We may very well make some decisions prior to the formal introduction of the council because time is somewhat of the essence."

For this industry, which employs 10,000 people, time is of the essence. Will the Premier please advise this House why Waterloo Region Shoe Manufacturers Ltd. has not been able to receive this assistance as it was secured by his friend Mr. Schwartz?

Hon. Mr. Peterson: I cannot understand the honourable member, whose colleagues have been so critical of an investment that was made by this government in our high-technology future in technology transfer and education—

Interjections.

Hon. Mr. Peterson: His friend from Brantford has been yapping about this matter. I do not know how the member can turn around and ask me to take a different view. One has to take a consistent view. Is he asking me to interfere personally and give them the grant? As he knows, I am not in a position to do that. It will be reviewed by the ministry, as everything else will that we look at, and we will make our assessment based thereon.

URBAN TRANSPORTATION DEVELOPMENT CORP.

Mr. Foulds: For the past 16 weeks, a special adviser to the Premier, John Kruger, has been indicating the sale between Urban Transportation Development Corp. and Lavalin would be completed within the next two or three weeks. He repeated that statement last weekend, on week 16. Can he tell us what is taking so long?

Hon. Mr. Peterson: It just shows one how human we all are. It has been a long and difficult

negotiation; there is no question about that. It is a very complex and complicated deal. The member knows it is complicated by the outstanding liabilities of the company, but we are committed to turning it over to the private sector.

My hope—and if I am wrong, the member will stand up in this House again next week or the week after and accuse me of something nefarious—is that we will have an announcement in the next three or four days. If it is five days or eight days, I hope my honourable friend will bear with me, but we are moving towards a conclusion.

3:30 p.m.

Mr. Foulds: It sounds like the most movable feast in the calendar of this Liberal government. With northwestern Ontario experiencing an unemployment rate of 12 per cent, or in excess of that, consistently over the past several months, can the Premier tell me what steps he is taking for economic renewal in the northwest, not only with UTDC but with the waferboard plant of Great Lakes Forest Products and with the closures at Shebandowan and Ear Falls?

Hon. Mr. Peterson: My honourable friend is aware of some of the initiatives we took yesterday. I am not sure whether he considers the Sault the northeast. I do not know whether it is the north centre, the northeast or the northwest. I am not sure how he categorizes the Sault. Our initiatives of yesterday include, in broad terms, the entire north. We are committed to the push that we demonstrated yesterday. He will see many more announcements in the months to come. We are committed to the same things he has been talking about in this House for a long time.

The sale of UTDC will help Can-Car in Thunder Bay. It will go a long way further than the retention option towards securing its economic future as an integral part of that community. I think my friend will be very happy with the results of what this government has negotiated.

INSURANCE RATES

Mr. Wiseman: I have a question for the Minister of Agriculture and Food. Earlier this week, the minister mentioned that fair boards would be covered by liability insurance. I checked out most of my fairs. Most of them fall into the categories of horse racing, midways, liquor or beer, or all four. They will pay \$1,000 for \$1 million worth of coverage. A year ago, they paid about \$750 for \$5 million of coverage. Will the minister consider paying for this year only half of the cost of the additional insurance

for our fairs across this province so that many fair boards that just break even will be able to hold their fairs this fall?

Hon. Mr. Riddell: The short answer is no. The agricultural societies have been assured they will be granted coverage under the liability insurance pool. They have been assured they will be given the coverage at very reasonable rates. In most cases, those rates will be very little higher than they have been in the past. I do not understand the member's problem. The agricultural societies have been assured they will get coverage.

PETITIONS

SALE OF BEER AND WINE

Mr. Polsinelli: I have two petitions. The first one, regarding beer and wine in Ontario grocery stores, was signed at the Jane and Finch Food City in my riding. It reads as follows:

"We, the undersigned, wish to express our objection to you, as our elected representative, to any legislation which would exclude us and our place of employment from the opportunity to sell our customers any products simply because we are not a so-called independent store."

Mr. Barlow: I have four petitions which relate to the sale of beer and wine in corner grocery stores, a matter that has come up over the past few days. I will not read the rather lengthy petitions. These are presented by 31 employees of the Cambridge Food City, 47 employees of Zehrs Market in Preston, Cambridge, 10 from Zehrs Market Brierdale Plaza in Cambridge and six from Zehrs Market at Cambridge Shoppers Mall, Cambridge.

NATUROPATHY

Mr. Polsinelli: The second petition reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

Mr. Cordiano: I have a petition on behalf of a number of concerned citizens, which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

PROPERTY ASSESSMENT

Mr. Grande: I have two petitions addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario. The first reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"City of York residents pay the highest property taxes in Metro Toronto, but we still have bad roads, poor snow removal, backed-up sewers and insufficient services. This is due to our small industrial and commercial assessment base. For more than 10 years, the provincial government has failed to act.

"We petition the provincial Liberal government to correct this injustice by providing special direct grants, as it did in Sudbury, to the city of York to maintain and improve services while offsetting the higher property taxes paid by York residents."

[Remarks in Italian]

These petitions are signed by more than 3,000 residents of the city of York, the riding of Oakwood.

USE OF THIRD LANGUAGE

Mr. Shymko: Mr. Speaker, on a point of order: The member has been speaking in a third language. I simply want to ask you whether or not this is standard procedure. In the past, I believe I was prevented from using a third language in the Legislature.

Mr. Speaker: Thank you for the point.

3:40 p.m.

MOTIONS

WITHDRAWAL OF BILL 87

Hon. Mr. Nixon moved that the order for second reading of Bill 87, An Act to revise the Loan and Trust Corporations Act be discharged and the bill be withdrawn.

Motion agreed to.

REFERRAL OF BILL 77

Hon. Mr. Nixon moved that the order for third reading of Bill 77, An Act to revise the Representation Act, be discharged and the bill referred back to committee of the whole House.

Motion agreed to.

COMMITTEE TRAVEL

Hon. Mr. Nixon moved that the standing committee on public accounts be authorized to adjourn to Vancouver, British Columbia, to consider matters relating to the domed stadium and the annual report of the Ministry of Transportation and Communications.

Mr. Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Nixon moved that Mr. Timbrell and Mr. McCague exchange places in the order of precedence for private members' public business.

Motion agreed to.

HOUSE SITTING

Hon. Mr. Nixon moved that, notwithstanding standing order 71(a), government business be considered tomorrow morning, July 10, 1986, with routine proceedings at 2 p.m. and that the House sit through lunch.

Hon. Mr. Nixon: The motion is amended slightly from the one that originally came to me, but has been agreed to by the three House leaders.

Mr. Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

INTRODUCTION OF BILLS

LIQUOR CONTROL AMENDMENT ACT

Hon. Mr. Kwinter moved first reading of Bill 119, An Act to amend the Liquor Control Act.

Motion agreed to.

LIQUOR LICENCE AMENDMENT ACT

Hon. Mr. Kwinter moved first reading of Bill 120, An Act to amend the Liquor Licence Act.

Motion agreed to.

LAND TITLES AMENDMENT ACT

Hon. Mr. Kwinter moved first reading of Bill 121, An Act to amend the Land Titles Act.

Motion agreed to.

REGISTRY AMENDMENT ACT

Hon. Mr. Kwinter moved first reading of Bill 122, An Act to amend the Registry Act.

Motion agreed to.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Grandmaître moved first reading of Bill 123, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT

Mr. Sterling moved first reading of Bill 124, An Act to amend the Occupational Health and Safety Act.

Motion agreed to.

Mr. Sterling: Obviously, some of the members missed my earlier comments. I explained that this legislation will ensure that no employee will be unwillingly exposed to tobacco smoke in the work place at the level of concentration injurious to his or her health. It will allow a worker to request his or her employer to act to alleviate conditions if the worker believes his or her health is at risk.

WOMEN'S SECRETARIAT FOR SPORT AND FITNESS ACT

Ms. Gigantes moved first reading of Bill 125, An Act to establish the Women's Secretariat for Sport and Fitness.

Motion agreed to.

Ms. Gigantes: The purpose of the act is to establish the women's secretariat for sport and fitness as an office in the Ministry of Tourism and Recreation for the purpose of improving access

to sport and fitness programs for girls and women and increasing the opportunities for their participation in these programs.

TOMMY DOUGLAS DAY ACT

Mr. Foulds moved first reading of Bill 126, The Tommy Douglas Day Act, 1986.

Motion agreed to.

Mr. Foulds: The purpose of this bill is to commemorate the banning of extra billing in Ontario by naming June 20 after the father of medicare in Canada, Tommy Douglas.

Mr. Douglas said at the New Democratic Party convention in Regina in 1983, "We pledged ourselves 50 years ago that we would provide health care for every man, woman and child irrespective of their colour, their race or their financial status and, by God, we are going to try." By God, we did it in this province.

3:50 p.m.

ORDERS OF THE DAY

House in committee of the whole.

REPRESENTATION ACT (continued)

Consideration of Bill 77, An Act to revise the Representation Act.

Hon. Mr. Nixon: I understand the member for York Mills (Miss Stephenson) has two amendments involving name changes. If they are the ones we expect, from our side we are prepared to accept them.

Miss Stephenson: Because the member for Durham-York (Mr. Stevenson) is absent at the moment, I will move that the name of the riding currently referred to in the act as York-Ontario be changed to Durham-York to reflect more accurately the geographic area represented.

Mr. Chairman: Do you have this amendment in writing?

Miss Stephenson: Yes.

Mr. Chairman: Do the member for Bellwoods (Mr. McClellan) and the member for Brant-Oxford-Norfolk (Mr. Nixon) have a copy of this?

Hon. Mr. Nixon: Yes.

Mr. McClellan: We are aware of the amendment.

Mr. Chairman: You are not going to object to not having a copy.

Mr. McClellan: No, we are not. We are going to support the amendment.

Mr. Chairman: Miss Stephenson moves, on behalf of Mr. Stevenson, that the name of the riding currently referred to in the act as York-Ontario be changed to Durham-York to reflect more accurately the geographic area represented.

Motion agreed to.

Mr. Chairman: Miss Stephenson moves that the name of the riding currently referred to in the act as Armourdale be changed to Willowdale in order to reflect more accurately the geographic area represented.

Motion agreed to.

Schedule agreed to.

Bill, as amended, ordered to be reported.

ELECTION FINANCES ACT (continued)

Consideration of Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other Acts respecting Election Financing.

On section 39:

Mr. Chairman: When we broke off at 6:30 last night, we were at the point of voting on the amendment of the member for York Centre (Mr. Cousens) to subsection 39(2) and the member for York Mills (Miss Stephenson) was entreating the Treasurer (Mr. Nixon) to read something.

Hon. Mr. Nixon: She wanted me to read something further. It was relevant and the House is taking that into consideration. Unfortunately, the honourable member is leaving for another committee responsibility at this time.

Miss Stephenson: No, I am not.

Hon. Mr. Nixon: Oh, damn.

Mr. Chairman: Is the member for York Mills through with this?

Miss Stephenson: No, I am not.

There is no doubt that the intent of the section read by the Treasurer and House leader is at least to begin to find a mechanism to solve the problem raised by the member for York Centre. However, the time frame is probably rather long because it requires the commission to examine and report to the Speaker and for the Speaker to report to the Legislative Assembly. The Legislative Assembly then determines whether there is a rationale for some modification of the formula.

It would be more sensible to have some kind of flexibility built into the act so that it could be dealt with in a relatively short time. It appears that the length of time necessary in some circumstances might be such that the member could be discharged from the Legislature before

the action that is prescribed at the end of the section is undertaken or completed. That is worrisome.

Although I recognize the intent of the section, it does not have the kind of immediacy that there is in some circumstances, such as the unusual one suggested by the honourable member. That is probably the only circumstance that should ever be considered, when an area of the province is growing so rapidly that the number of constituents has increased by almost 50 per cent by the time the next election is called before anything has been done about the formula for that riding.

Hon. Mr. Nixon: We feel there is sufficient protection. The Commission on Election Contributions and Expenses can make the recommendations to the House, and I see no reason that it should be delayed in any untoward way. If I were looking into my crystal ball, I would say that after the next election there will probably be a full five years for adjustments.

Mr. McFadden: The member for York Centre is away today on constituency business of an urgent nature. I said I would rise to see whether the Treasurer had reconsidered his thoughts of yesterday with regard to the amendment put forward by him, which is now before this House.

Last night my colleague reviewed the projected population growth for the riding of Markham. His estimate is that over the next 10 years the population of that riding will likely grow from its present level—I gather it is now at about 75,000—to about 200,000. As of now, the local municipality has already approved a sufficient number of housing units that would accommodate at least 65,000 new people who would be coming into the riding. He anticipates that over the next 10 years the population of his riding could well double.

As a consequence of that, it seems reasonable that the maximum amount be increased to deal with the hardship that would be faced by the member for York Centre. I do not know whether the Treasurer has seen it in his heart as of today to change his mind on this amendment. It does not look as if he has. I urge him, on behalf of the member for York Centre and the constituents of that riding as well as other ridings which are in a position similar to this, to consider this amendment favourably and to allow it to go through.

Hon. Mr. Nixon: We have expressed our views on this and we would like to have the motion put.

Mr. Chairman: Do you mean the vote?

Hon. Mr. Nixon: Just let it go at that. We have not changed our mind.

Mr. Chairman: Mr. Cousens has moved that subsection 39(2) of Bill 103 be amended by striking out "\$0.25" in the 11th line and inserting in lieu thereof "\$0.50."

Motion negatived.

Section 39 agreed to.

Sections 40 to 45, inclusive, agreed to.

On section 46:

Mr. Chairman: Hon. Mr. Nixon moves that subsection 46(1) of the bill be amended by striking out "and an amount equal to 20 cents for each dollar of actual campaign expenses to the maximum expenditure limit" in the eighth and ninth lines and inserting in lieu thereof "or an amount equal to 20 per cent of the maximum expenditure limit."

4 p.m.

Hon. Mr. Nixon: This clarifies a section that was a bit mystifying having to do with the subsidies payable to the individual candidates. No one wants any lack of clarity in this important section and therefore I hope all sides will support the amendment.

Motion agreed to.

Section 46, as amended, agreed to.

Sections 47 to 55, inclusive, agreed to.

On section 56:

Mr. Chairman: Hon. Mr. Nixon moves that subsection 56(2) be amended by deleting the last four lines and inserting in lieu thereof, "as candidates at a by-election for which a writ was issued prior to the day the act receives royal assent."

Hon. Mr. Nixon: This means the previous act will apply in any by-elections until September 1.

Motion agreed to.

Section 56, as amended, agreed to.

Sections 57 to 61, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Nixon, the committee reported two bills with certain amendments.

FRENCH LANGUAGE SERVICES ACT

LOI DE 1986 SUR LES SERVICES EN FRANÇAIS

Hon. Mr. Grandmaître moved second reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

L'hon. M. Grandmaître propose la deuxième lecture du projet de loi 8, Loi assurant la

prestation de services en français par le gouvernement de l'Ontario.

L'hon. M. Grandmaître: Lorsque j'ai présenté le projet de loi 8 sur les services en français, le premier mai dernier, j'ai constaté que cette Assemblée a reconnu que nous venions de franchir une étape historique.

It is not an exaggeration to say that the entire country will be following our debate closely. I am sure it will demonstrate that we all believe in equality and fair treatment for all Ontarians whether they speak English or French.

Le fait de garantir le droit de recevoir des services en français constitue un défi majeur pour l'administration. Il est en fait très rare qu'une loi touche tous les aspects et toutes les activités du gouvernement de l'Ontario. Le projet de loi que nous considérons aujourd'hui touche le ministère, les agences, les conseils, les commissions, les institutions ainsi que toute la gamme des organismes para-publics.

Members will appreciate that the bill before them is the product of widespread consultation not only within the government apparatus but also with representatives of the francophone community and with many expert advisers. I am convinced we have succeeded in giving a strong guarantee of French language rights and in designing a practical and realistic system for the delivery of government services in French.

L'article 5 constitue le fondement du projet de loi. Il reconnaît clairement le droit de chacun à être servi en français par le gouvernement de l'Ontario, dans la région désignée de la province, et à communiquer en français avec le gouvernement.

Les citoyens pourront éventuellement avoir recours aux tribunaux si ce droit n'est pas respecté. Cet article s'inspire de l'article 20 de la Charte des Droits qui garantit le droit de recevoir du gouvernement fédéral des services dans les deux langues officielles du Canada.

Ministries and other government agencies are given three years to develop and implement the wide range of services that section 5 guarantees. They will be assisted in that task by the Ontario French Language Services Commission, which will make practical suggestions on the best way to meet our goals within the prescribed time limit. Our consultations also show clearly that a certain flexibility must be built into the act.

Proper acknowledgement of the autonomy of transfer payment agencies dictated that not all parts of the vast governmental structure could or should meet the automatic three-year deadline. Cabinet, therefore, retains the authority to

designate certain parts of the system where we have succeeded in creating the necessary French-language capacity in those institutions. This does not amount to a list of exceptions. Cabinet has every intention of exercising its authority to ensure that all services are available in French as soon as is humanly possible.

Je crois que tous les députés ont maintenant une idée précise des dispositions du projet de loi 8 sur les services en français ainsi que des mécanismes d'application. Je serai heureux d'écouter les commentaires des députés qui voudront prendre part à ces débats en deuxième lecture de ce projet de loi qui est très important pour la population de l'Ontario et pour celle du Canada en entier.

M. Guindon: Il me fait plaisir, aujourd'hui, de supporter le gouvernement avec la présentation du projet de loi 8 en deuxième lecture. Pour réitérer un peu ce que l'on a dit dans le passé au sujet de la prestation de services aux francophones par l'ancien gouvernement, je dois dire qu'on s'attendait aussi à quelque chose de nouveau, à un grand renouveau dans le système du gouvernement concernant les Canadiens français.

On s'attendait à un système qui apporterait tout un changement et au lieu de cela, je trouve que c'est le même système qu'on avait avant, avec un pas en avant. On continue à faire le même progrès, mais c'est bon. Je dois vous dire que je suis fier d'être en position de supporter une telle loi. Aussi, en temps et lieu, nous aurons peut-être des amendements à proposer.

Aussi, je voudrais apporter des commentaires sur ce qui est arrivé dernièrement à la Législature ou en dehors, au sujet des députés ou membres francophones. Ma mémoire ne me reporte pas très loin, mais je me rappelle que Stewart Smith, aux environs du 18 mars 1981, avait dit, dans le Nord, je ne sais pas trop où, que le Parti conservateur haïssait les francophones. Il s'agissait là de propos inflammatoires. Nous avons aussi entendu, il y a quelques jours, ceux de l'ancien ministre du Développement du Nord et des Mines (M. Fontaine) qui a fait un énoncé à la radio et nous savons tous très bien ce qu'il a dit.

C'est une autre attitude qui prévaut souvent au sein du Parti libéral ou du gouvernement. C'est aussi l'attitude qui prévaut aux Affaires francophones qui, à chaque fois qu'il y a un retard ou à chaque fois que l'on pose des questions au sujet de l'avancement des projets de loi, que ce soit dans le cas du projet de loi 8 ou autre, on blâme les Conservateurs. On dit: n'est-ce pas terrible qu'on n'avance pas avec la deuxième lecture?

C'est la faute des Conservateurs, c'est la faute à Guindon.

Ca n'aide pas l'attitude de l'Assemblée législative. Ca n'aide pas à la coopération et à la bonne entente. Mais tout de même, je dois vous dire qu'en principe, je suis fier de l'appuyer parce que vous savez, dans notre coin de l'Ontario, à Cornwall, au cours des années 50 et même un peu avant, nous avions deux et même trois écoles secondaires opérées par les frères, les prêtres ou les soeurs. Ecoles francophones dont nos parents et grand-parents payaient des taxes séparées pour des écoles séparées et aussi payaient pour les écoles secondaires francophones. Il est venu un temps où ça coûtait vraiment trop cher et que c'était un fardeau trop lourd à supporter.

Petit à petit, une à une, nous avons perdu toutes nos écoles secondaires. Une chance que l'Université d'Ottawa ne soit pas tellement loin et nos élèves ont toujours eu la chance de se rendre à l'Université d'Ottawa. Mais sans la préparation donnée à l'école secondaire, c'était assez difficile. Nous avons constaté beaucoup de progrès depuis les 15 dernières années et puis, nous avons notre école secondaire. Nous avons une succursale de l'Université d'Ottawa à Cornwall, au Collège St-Laurent et je dois vous dire que ça fait chaud au coeur de voir que ce projet de loi devrait, à mon avis, être capable de procurer des services en français et les garantir dans l'éducation pour qu'enfin nous puissions un peu, pas seulement un peu mais beaucoup, améliorer le sort des jeunes francophones en Ontario et je parle surtout de mon comté.

Comme vous le savez, dans l'Est de l'Ontario, les francophones n'ont pas eu tellement de chance pour des raisons économiques ou autres. Nous avons le taux d'éducation le plus bas et nous avons le taux de chômage le plus élevé. J'espère qu'avec la loi 8, nous pourrions remédier autant que possible à ce problème.

I would like to take this opportunity to say that I and my party will support Bill 8 in principle, and at the appropriate time we will probably have some amendments.

L'hon. M. Grandmaître: Je remercie le membre de Cornwall (M. Guindon) pour son appui et celui de son Parti. Je crois que le temps est propice pour le gouvernement de l'Ontario de reconnaître non seulement le besoin de services à la population francophone. En plus de donner les services, il faut les garantir dans tous les domaines offerts par le gouvernement de l'Ontario, que ce soit dans les domaines de la santé, des services sociaux ou de l'éducation. Je suis

absolument d'accord avec lui lorsqu'on regarde le progrès qui s'est fait dans la province de l'Ontario, surtout au niveau de l'éducation. Je crois que la province a progressé.

Excepté que le progrès, l'étatisme, il y a un certain temps pour cela. Il y a une limite à cela et le projet de loi entend très clairement y mettre fin et garantir, après trois ans ou peut-être avant, que la Commission sera en place pour évaluer la qualité et la quantité de ces services et même améliorer ces services. Alors je peux affirmer, non seulement au membre de Cornwall, mais à tous les gens de cette Assemblée que nous sommes déterminés à offrir ou à garantir les services dont la population francophone a toujours eu besoin.

Mr. Guindon: I have no questions to ask the minister, but I am proud to participate for a few more seconds and to say we will give it our best shot. With all three parties together, we should be able to rectify a great many problems that have affected a great section of our community, the francophone community. For many reasons, they have had problems in the past. It takes the type of legislation we have here today to move ahead and make great strides.

Mr. Rae: I rise to indicate our support for second reading of this legislation. While I have been advised to keep my remarks very brief, I want to speak personally for a moment.

As I have recounted on a couple of occasions—I think the last time was at the general meeting of the Association of Municipalities of Ontario—I was born in Ottawa. I can remember when Vanier was Eastview. It is good to see the member for Carleton East (Mr. Morin) in the chair as I say these things. I can remember when French was a hidden language in Ottawa. It was a language of the street and of the home among French-Canadian families, but it was not a language of work; it was not widely accepted or used, even within the federal civil service or the federal government.

I do not mind admitting that as four- or five-year-olds, we used to have gangs, as I am sure kids still do. Language was frequently the basis upon which kids would join whatever gang they were going to be part of.

If we look at the history of this province, we have come a long way. That is why all of us were astounded by the comments that were made recently by Mr. Fontaine. I will leave it at that.

The province has come so far that it is important for us to reflect on that fact for a moment. I say this as one who has been critical of governments and of the progress we have made.

We are at a state of consciousness with respect to accepting the rights of people to speak French, not only at home but also in school, and to have access to services.

In my view and in the view of our party, we have come far enough that it would make sense for us to be talking not simply about a framework law, if I may translate the French, but about entrenching the rights of the francophone community in our Constitution. I want to say for the record that it is the view of my party and my very strong personal opinion that, having come the distance we have come over the past 20 years, it would make sense for this Legislature to be actively pursuing the entrenchment of French-language rights in the Constitution.

4:20 p.m.

I am fully aware of the controversy that has been caused and of the difficulties that have arisen in Manitoba. I have discussed them on many occasions, not only with representatives of the francophone community in Manitoba but also with members of my own party. I want to suggest that we in this Legislature and in this province have an opportunity to go that extra step.

I do not regard the passage of Bill 8 as the last step at all. It is simply a step on the road towards official recognition of French-language rights in our Constitution. I, for one, will not be satisfied until that happens. I will not be satisfied until it is possible for people to work and live in French, to accept it as a language of everyday life in this province and to see that as a normal and healthy development.

I cannot help but notice that the Minister of Citizenship and Culture (Ms. Munro) is here. I cannot resist her presence—I know her willingness to participate in the debate—to say that there remain contradictions.

There are a number of public facilities in Ontario, which the government of Ontario is encouraging Quebeckers to visit, where one cannot get services in French. Today, one cannot get a tour of the Ontario Science Centre in French. Kids who are going to French immersion classes in Toronto today and who are going in French immersion classes to the science centre for a tour are having to take those tours in English. That is something we should recognize.

I was asked in French by a Quebecker where the washroom was the other day. I assume he was a Quebecker. We were standing right by the room that had "Men" on it. I realized that all the signs in this building are still in English.

We have to make a change of our own consciousness that will extend to our public

facilities and to the services we are intending to offer in the spirit of rapprochement and welcome to French-speaking Ontarians and to French-speaking Canadians who come to this province and who come to this city, the capital of Ontario.

I regard this as a first step. I have some suggestions for amendments. I very much hope that the matter can be referred to committee of the whole House so we will be able to discuss those amendments. I will express in English, because I am going to revert to my fractured French in a moment, the basic amendments we want to suggest.

First, I am not convinced that a three-year period is necessary in all instances. Second, it is my opinion and the view of our party that this bill gives too much discretion to the executive, to cabinet, and gives insufficient power to the individual to challenge the discretion of cabinet. If we were serious about entrenching rights, the purpose of this act would be to say to the francophone in Kapuskasing, "If you are not satisfied with the level of service, you have a right to go to court and get the government to comply." That right should be given more clearly to the citizen as an individual than to the executive.

In the light of certain decisions that have been made this week, there are some questions I have always had about the wisdom of courts in their determination of the rights of the individual. We may disagree from time to time on that, but I think it is an important way of keeping the pressure on and of keeping the dialectical relationship between the individual and the Legislature. We should not simply revert to giving all the power back to the executive.

Section 7 is language that is written for the convenience of the government and not for the rights of the citizen. We have to recognize that and try to deal with it.

Nous sommes sur la voie d'un changement nécessaire dans la province. Nous avons fait un progrès important ces dernières années, selon la mémoire des gens qui sont en Chambre. Je me souviens personnellement du genre de français. C'était une langue cachée dans la province et au Canada. C'était une langue de la rue, une langue familiale, mais non une langue de travail et c'est une chose que nous avons changée.

Nous avons changé et je dois dire que c'est le gouvernement fédéral qui a commencé le processus. Nous avons débuté par la reconnaissance officielle des droits linguistiques avec la Charte des Droits. Nous avons l'enchâssement de ces droits dans la Constitution, mais ce n'est pas une

question légale, c'est une question réelle; le fait que nous avons changé la culture politique du Canada. Nous avons changé la culture politique du pays et maintenant, nous avons une obligation, une chance, une opportunité de continuer avec les changements dans la culture politique de la province de l'Ontario.

J'ai donné des exemples en anglais, en disant clairement que même maintenant, nous avons des exemples et je vous en donne un: je me souviens que j'étais guide parlementaire en 1966-1967, à Ottawa, et si un groupe voulait avoir un tour en français, il devait le demander et on était prêt à le donner. Je me souviens que comme guide, je disais au Président de la Chambre, M. Lamoureux: pourquoi les francophones doivent-ils insister, dire je veux un tour en français? Pourquoi ne pas donner un choix clair, où il serait également officiel et acceptable d'avoir un tour en anglais ou en français?

Puis on a vu le changement se produire avec le Premier ministre M. Trudeau et je dois dire que c'est lui qui a été responsable du changement psychologique et national à Ottawa. C'est changé et c'est une bonne chose que ce soit changé. Je dis que c'est une question que M. Trudeau a défendue avec un courage féroce.

Oui, cela a changé à Ottawa, mais pas à Toronto. Quand je suis devenu député, j'ai été frappé par le fait que même à la Chambre, le français était une langue cachée. Ce n'était pas une langue de chaque jour. C'est pourquoi je vous dis que nous devons apporter ce changement. Le projet de loi 8 est un début, mais seulement un début et j'espère qu'après que la Législature l'aura accepté, alors nous pourrions continuer les discussions avec le gouvernement du Québec sur l'enchâssement constitutionnel des droits dans la province.

La question du bilinguisme officiel dans la province est pour moi la partie importante. C'est non seulement une question symbolique, mais une question réelle; que le français devienne une langue de chaque jour, une langue officielle, non seulement une langue cachée, mais une langue de travail, aussi acceptable que l'anglais dans la province de l'Ontario.

Hon. Ms. Munro: I am very pleased and obviously very anxious to speak in support of this most significant bill, Bill 8, An Act to provide for French Language Services in the Government of Ontario. I feel—and feelings are, after all, so much a part of our culture—that this bill is one of the most important pieces of legislation to be brought before this House, and I say that as an anglophone. It addresses something that has for

too long been badly neglected: the equality of the two founding groups in this country.

It has been my personal conviction that equality comes through understanding, and understanding through communication. I too, along with many other parents in Ontario, have enrolled my son in French immersion school. In Hamilton, the interest is so great that there are long lineups for parents and ongoing pressure for additional seats and funding, not only for the privilege of language but also for enjoying an experience, the language aspect of culture in the French language.

Johnny, my son, is becoming fluent in both official languages without a trace of his mother's sincere but anglophone accent. He is doing so well that he now thinks in both French and English.

I cannot stress enough the significance of the work being done within our French immersion schools. For that, I congratulate the Minister of Education (Mr. Conway) on the thrust taken by his ministry in this field. I also congratulate Hamilton for its compassionate support and lobbying strength—Steel City with steel.

4:30 p.m.

The bill is not about anglophone rights necessarily but about the rights of francophone Ontarians to access services in their own language. I rise today, therefore, not only to support a bill that will promote the French language but also to underscore an even deeper issue, the equality of all people throughout this province.

As the Minister of Citizenship and Culture in this province, I have the responsibility of promoting, enhancing and developing the undeniable fact that Ontario is a multicultural society and that people from all cultures, races, languages or religious groups have equal standing and opportunity. This bill recognizes and embraces this principle.

In response to the member for York South (Mr. Rae), my ministry will work quickly to make services available in both official languages so that everyone may enjoy our marvellous institution, and that holds for all our agencies and for the ministry in general.

Finally, I congratulate the minister responsible for francophone affairs for creating a bill which in many respects is stronger in its approach to French-language services than even our Charter of Rights. I note that the charter makes provisions only for French-language services to the government and its agencies, while this bill also involves paragovernmental organizations receiv-

ing funds through the government. This is an important and necessary step.

In concluding, I urge all members of this Legislature to support this bill and to ensure its speedy passage.

Hon. Mr. Grandmaitre: I am quite pleased to see that this House has come to its senses and realized that we must improve services and guarantee francophone services throughout this province and through our agencies. Every ministry of this government has recognized the need to provide better services.

I was particularly touched by the member for York South because I know of his commitment, not only his private or personal commitment but also that of his party, to official bilingualism in this province. I can assure the honourable member that it is a first step. Bill 8 is not the end of the world. It is a first step, but it is a step in the right direction. I know he will be offering some amendments.

The member for Cornwall (Mr. Guindon) has also brought to my attention that some amendments might have to be considered. I welcome these amendments because it shows we are willing even to improve Bill 8. I know I will receive the co-operation of all members of this Legislature.

The anecdotes recalled by the member for York South were very appropriate because we not only have to improve signage throughout this province, especially on provincial buildings or ministries, but we also have to prove we have grown up in the past 10 or 15 years. We welcome the francophone population to participate in the growth of this province, especially the cultural growth and enrichment of our culture.

Alors, il me fait énormément plaisir de recevoir l'appui des deux Partis de l'opposition, celui des Néo-Démocrates et celui des Conservateurs. J'espère que lorsqu'on présentera la troisième lecture et le vote sur le projet de loi 8, ce sera unanime. Je crois qu'il est temps, comme je l'ai mentionné auparavant, que les trois Partis, surtout le gouvernement de l'Ontario, reconnaissent la nécessité et le besoin de ces services et je veux remercier spécialement le ministre des Affaires civiques et culturelles.

I know the dedication of the minister when it comes to cultural affairs. I know I can count on her support and I will need her guidance when it comes, probably, to new amendments to the bill. I thank her for her support.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

House in committee of the whole.

ONTARIO DRUG BENEFIT ACT

Consideration of Bill 54, An Act to Authorize and Regulate the Payment by the Minister to Specified Persons on Behalf of Specified Classes of Persons for the Dispensing of Specified Drugs.

The Deputy Chairman: Are there any questions, comments or amendments?

Hon. Mr. Elston: Some amendments have been proposed. I have a series of amendments. I have an amendment for a new section 16a, an amendment to subsection 17(1), adding clause (ka), and amendments to subsections 17(2), 17(3) and 17(5).

Miss Stephenson: I have a significant number of amendments to sections earlier in the bill than those noted by the minister.

The Deputy Chairman: To which section?

Miss Stephenson: Section 1 to begin with.

Mr. Andrewes: We are dealing with Bill 54.

Miss Stephenson: Yes. Then to subsection 4(1), section 16a, clause 17(2)(a), subsection 17(5) and section 18.

Mr. Andrewes: I believe the member for York West (Mr. Leluk) has some additional amendments.

Mr. Leluk: Those are all the amendments we will be proposing to Bill 54.

On section 1:

The Deputy Chairman: Miss Stephenson moves that section 1 of Bill 54 be amended by adding the definition of "designated pharmaceutical product" as follows: "A product that is not a drug as defined in the Health Disciplines Act and is designated by the regulations."

4:40 p.m.

Miss Stephenson: This is to ensure that those products which are included as benefits under the Drug Benefit Act, but which are not defined as drugs under the Health Disciplines Act, are listed in order that they may be eligible in the most appropriate way. Because they were not listed, it was felt that perhaps they might be deleted from that benefit in certain circumstances or all circumstances to the detriment of the patients who are supposed to be enjoying that benefit.

Hon. Mr. Elston: The honourable member has indicated that there is concern about certain removal of benefits. That was not anticipated in

the legislation. She knows clearly that section 16a, which we distributed some time ago, was designed to prevent that event occurring, and in combination with the amendment to clause 17(1)(ka), would allow for the designation of those nondrug products. That clearly having been demonstrated by the precirculation of our intended amendments, would clarify and eliminate the need for the amendment which has been proposed by the member for York Mills.

Miss Stephenson: Although there is provision for this under the sections amended by the minister, and we recognize that is so, it would appear to be appropriate that such products be defined in the definition section in order that everyone be absolutely clear about what the minister is talking about.

Hon. Mr. Elston: Since the regulations will actually set out and list the products which are going to form the benefits under this piece of legislation, it will be very clear through the regulations what is intended by a designated pharmaceutical product.

Mr. Chairman: Does any other member wish to speak on this amendment? There being none, shall Mr. Leluk's amendment carry? Miss Stephenson moved it on behalf of Mr. Leluk. Is that correct?

Miss Stephenson: That is right.

Mr. Chairman: All right. I heard both ayes and nays.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Section 1 agreed to.

Sections 2 and 3 agreed to.

On section 4:

Mr. Chairman: Mr. Leluk moves that subsection 4(1) of Bill 54 be amended by striking out "unless the charge or payment as authorized by the regulations" and substituting therefor "unless the patient or the person presenting the prescription is informed before the prescription is dispensed of the opportunity to request a specific interchangeable product and is willing to pay the price difference between the listed product and the requested product."

Does anyone else have a copy of this amendment? The member for Bellwoods (Mr. McClellan) and the member for York Mills (Miss Stephenson) do not. Does the minister?

Hon. Mr. Elston: Yes, I have a copy.

Mr. Leluk: This amendment is very important in that it deals with the consumer's right of choice to pay the price difference, if he so wishes, between the listed product and the prescribed product. I have received letters, and there is one in particular I would like to refer to from the Epilepsy Association, Metro Toronto. It says:

"It is well established that interchangeable drugs produced by different manufacturers can perform differently in the body. In treatment of seizure disorders where medication is taken over an extended period of time, fluctuations in blood levels of anti-convulsant drugs can lead to loss of control, seizure or produce toxic side effects. To have patients switched between brands of a particular drug, either knowingly or unknowingly to them, can lead to significant changes in the blood levels of that drug."

They go on to say, "This amendment would allow patients to have dispensed the brand of anti-epileptic drug that their physician has prescribed rather than be at the legal requirement of the pharmacist to supply the interchangeable product that he or she has on hand at that time."

We in our caucus support the right of choice of consumers in this province to pay the difference in price if they so wish.

In a question to the Premier (Mr. Peterson) on June 23, I specifically said that the proposed Bill 54, subsection 4(1) "requires that pharmacists supply the lowest-cost list drug for the elderly and welfare recipients under the Ontario drug benefit plan. The bill as currently drafted denies consumers the right to pay the price difference between the lowest-cost drug and the drug prescribed by the doctor." I asked the Premier whether he would "assure this House that final legislation will allow seniors and those on welfare the right to choose and pay the price difference if they wish, or will they be forced to swallow the pill the government tells them to?"

The Premier's reply was: "We on this side of the House never make anyone swallow bitter pills. I appreciate my colleague opposite's new-found advocacy for consumers, and I know he will want to take advantage of discussion in this House to put forward his views on behalf of the people of this province. That is who we"—referring to the Liberal government—"are fighting for all the time—the consumers, the people of the province—and we are glad to have the member join us."

Does the minister share the Premier's views and will he therefore support this amendment, which deals with consumers' right of choice?

Hon. Mr. Elston: It is obvious I support the Premier's views on our advocacy for consumers and the people of the province. There is no secret about that. The member understands quite well from his involvement in our deliberations in committee that the current regime of delivery of medications allows people to request more expensive brands and to pay the difference. Under the current proposed legislation that is in front of us in an unamended fashion, that regime will be maintained. We are not changing anything along those lines. We do not see a need for the honourable gentleman's amendment to be included in the current legislation.

I am pleased with the member's support with respect to the items that will protect consumers and wholeheartedly endorse his position of desiring more information for consumers all the way through the piece. However, his amendment in these circumstances and in the conditions of the current bill are not required for the purpose of allowing people to pay extra if they wish to request a different product.

Miss Stephenson: May I ask the minister a question? Is the procedure to be exactly the same, that when a physician decides that no substitution should be made in the product, for example, that an elderly individual is receiving, he must write "no substitution" as well as complete the additional form that is necessary to have some support for filling the prescription? Is that what the procedure will be?

4:50 p.m.

Hon. Mr. Elston: I understand the procedure will be changed in one circumstance. With respect to no substitution, "no substitution" must be written by hand. That will not change. It is quite clear that the purpose is to turn everybody's mind to the condition of the writing of the form. My understanding is that the only thing that will change is that the doctor must actually write "no substitution."

Miss Stephenson: That is not the question I asked. I recognize that is the requirement built into this act.

The minister is saying there is no change from present practice. The present practice is that if a specific drug is required and prescribed by the physician and "no substitution" is noted on the prescription, the only way the pharmacist can be reimbursed appropriately for filling that prescription is to have the physician complete the additional form, which has the designation "M something," and submit that in order to ensure that it is filled. Is the minister saying that procedure will be exactly the same for all these

prescriptions for those who are beneficiaries of the Ontario drug benefit plan and that after this legislation is passed there will be no change in the procedure?

Hon. Mr. Elston: I am advised by officials that there will be no change along those lines.

Motion negatived.

Mr. Chairman: Apparently, we have a list of amendments that was not clear. Will the members look at their amendments and see if there are any other than those which I now name: section 16a, the minister; subsections 17(1), 17(2), 17(3) and 17(5), the minister; section 18, Miss Stephenson.

Miss Stephenson: No. In Bill 54, there is also subsection 14(2) and an additional subsection 14(3) in order to accommodate the amendment.

Mr. Chairman: The chair does not have copies of those.

Miss Stephenson: I will be glad to share them with you.

Mr. Chairman: Are there any other amendments, questions or comments? If so, in which sections?

Mr. Leluk: I have amendments to subsection 16a(2), clause 17(2)(a), subsection 17(5) and section 18.

Sections 4 to 13, inclusive, agreed to.

On section 14:

Miss Stephenson: I move that in subsection 14(2) the word "physician" be deleted. This is to be followed by another amendment which complements it and adds a subsection 14(3). That is what I was going to suggest I might do, if that is all right with the chair.

Mr. Chairman: Is subsection 14(3) dependent upon the passage of subsection 14(2)?

Miss Stephenson: No, it is not, but it does complement subsection 14(2) because it prescribes the circumstances under which the inspection of records should be carried out. Subsection 14(2) deletes one word, "physician."

Mr. Chairman: I really think we should do it separately. If you put them together and members wish to defeat one and pass the other, we will have problems and we will have to revert. Let us deal with subsection 14(2) first.

Miss Stephenson: If the word "physician" is not deleted, subsection 14(3) becomes something of a contradictory motion, although it is not really. What we are doing is attempting to ensure the maintenance of patient confidentiality in the inspection of records carried out by an inspector.

Mr. Chairman: Miss Stephenson moves that in subsection 14(2) the word "physician" be deleted.

Miss Stephenson: What I am suggesting is that if this is not carried, there is danger that patient records might become a part of the inspection which is carried out for purposes that have nothing to do with the clinical record of the patient but have to do only with compliance with the legislation and the method of payment to the physician who is dispensing.

This is in the section in order to ensure that there is a mechanism which will require physicians who are dispensing physicians to keep records which will be available to inspectors. The lack of clarity and precision regarding the records which are to be made available to the inspectors from dispensing physicians could lead to the abuse of patient confidentiality by the exploration of patient records that are of a clinical nature.

Hon. Mr. Elston: The ability to inspect must be extended in this fashion to both the offices of the pharmacy and the physician. I can tell the honourable member that she played an important role in fashioning the confidentiality section which precedes section 14—section 13, which we just passed—and from that standpoint, we spent some time in committee determining that the information which was required to be gathered for the purpose of this act would remain confidential in any event. We have debated that issue substantially. In fact, we have provided for the conditions of confidentiality about which she speaks, for which she seeks to remove the one word. I would not support the removal of this one word from the section.

Miss Stephenson: The minister is, unfortunately, mistaken. The confidentiality that is alluded to in section 13 is that confidentiality which relates to all of the records having to do with the acquisition of drugs, the purchase of drugs and the dispensing of drugs. It does not have to do with clinical records of patients. Clinical records of patients, as the honourable member should know—and I am sure does, as the Minister of Health—are confidential records that can be released only under specific circumstances. We wish to ensure that those circumstances are not breached by the requirements of this act.

5 p.m.

I assumed the minister would consider this to be an appropriate and a friendly kind of recommendation since there is no restriction

upon the examination of records other than patients' clinical records in the amendment I propose as subsection 14(3)—no restriction whatever, except for clinical records of the patient. I do not think the minister's money-counting or form-examining inspectors really want to look at the clinical records of patients. I do not think that is so at all. All we are trying to do is to ensure that this does not happen.

Mr. Chairman: All those in favour of Miss Stephenson's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Mr. Chairman: Does the member for York Mills have an amendment to subsection 14(3) of the bill?

Miss Stephenson: The minister has just ensured that those who have absolutely no knowledge of clinical records or the clinical treatment of patients will have access to clinical records of patients within dispensing physicians' offices. I believe there should be some kind of protection within this bill against that. I really do not understand the attitude of the minister in this very important act.

Hon. Mr. Elston: This is an important act.

Miss Stephenson: It is not protected. Unfortunately, the minister does not apparently understand this. I suggest that, although he has defeated the deletion of the word "physician," it might be well to consider ensuring seriously that there is an addition of a subsection 14(3) to this act that would simply state that an inspector may not examine records related to case histories or clinical management of patients in dispensing physicians' offices.

Hon. Mr. Elston: Is the member moving this one or a new one?

Miss Stephenson: No, I am not moving this one. I am moving an amendment to this one. The minister has just made this one redundant or a contrary motion. All I am doing is adding some kind of protection for patients, which the minister does not seem to want to have.

Mr. D. S. Cooke: What are we speaking on right now?

Miss Stephenson: We were trying to speak on subsection 14(3), which is no longer an appropriate amendment.

Mr. Chairman: Is the member for York Mills moving this subsection 14(3) or another amendment to subsection 14(3)?

Miss Stephenson: I am suggesting to you, Mr. Chairman, that it would be wise, given what has just happened, not to move this amendment, but to introduce another amendment which would simply state—

Mr. Chairman: Do you have the other amendment?

Miss Stephenson: No, I will have to write it out. I anticipated that the good common sense and rationality of the minister would prevail.

Mr. Chairman: Order. We will stand down subsection 14(3).

Mr. McClellan: Why should we stand it down?

Miss Stephenson: This was an addition.

Hon. Mr. Elston: Mr. Chairman, subsection 14(3) deals with matters under the control of a wholesaler or manufacturer. I do not think that the member for York Mills really wants to amend subsection 14(3) at all. She may want to add another section or subsection.

Miss Stephenson: I was adding a new subsection 14(3).

Mr. Chairman: That is right. I understand she wishes to add a new subsection 14(3). Can we stand down the entire section 14 to permit her time to write it?

Miss Stephenson: The additional amendment would simply be that an inspector may not examine—

Mr. Chairman: You are reading an amendment adding a subsection 14(3)?

Miss Stephenson: Subsection 14(3), which is not that which has been distributed.

Mr. Chairman: We have to have something. You must read out your amendment.

Miss Stephenson: That is what I was about to do. It reads:

"An inspector may examine all records other than those relating to the case histories or clinical management of patients in dispensing physicians' offices."

Mr. Chairman: You are deleting the balance of that?

Miss Stephenson: Yes.

Mr. Chairman: So those last words are "in dispensing physicians' offices."

Miss Stephenson moves that the following be added to subsection 14(3)—

I am having trouble. It is subsection 14(3). Do you really mean that?

Miss Stephenson: I am adding a new subsection 14(3) and renumbering the subsection 14(3)

that is currently there. We can make it 14(2a); I do not care.

Mr. Chairman: Perhaps legislative counsel can give a bit of direction on the numbering of this.

I will read this, and perhaps the member for York Mills will correct me if I am not correct.

Miss Stephenson moves that the following section be added to the bill:

"14(2a) An inspector may examine all records other than those relating to case histories or clinical management of patients in the possession of dispensing physicians."

Is that correct?

Miss Stephenson: Yes.

I believe I have made the comments that are necessary. This is simply to ensure that the confidentiality of patients' clinical records is maintained under any inspection process carried out under the authority of this bill.

I believe it is something that is required to ensure that confidentiality, which is extremely important, is maintained and is, in some circumstances, required by law.

Hon. Mr. Elston: I agree confidentiality is an important concept, and we have provided for it. I do not think the member will be accomplishing anything new with this proposed amendment.

We have adequate protections now. She may forget that we have a system that is already up and functioning and running with respect to an operating Ontario drug benefit program. Although she has played an important part in talking about the confidentiality section previously mentioned by me, we have enough protections without going into this sort of exclusion.

Mr. Chairman: All those in favour of the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 14 agreed to.

Mr. Chairman: According to my list, the next amendment is in section 16a. Am I correct, Minister?

Hon. Mr. Elston: Yes.

Sections 15 and 16, inclusive, agreed to.

Hon. Mr. Elston: This is the same amendment that is in the package of material I received from the Health critic of the official opposition.

Mr. Chairman: Hon. Mr. Elston moves that the bill be amended by adding thereto the following new section:

"16a. (1) This act applies with the necessary modification in respect of designated pharmaceutical products, and for the purpose a designated pharmaceutical product shall be deemed to be a listed drug product;

"(2) Section 16 and subsection 17(2) to subsection 6 do not apply for the purpose of subsection (1)."

Hon. Mr. Elston: This amendment does deal with the issue which was raised previously by the member for York Mills, when she introduced an amendment to the definition section surrounding designated pharmaceutical products. These two subsections in section 16a are designed to allow us to provide benefits under the plan for what are known as nondrug products. That being the case, this is a necessary amendment and I believe it is fully supported by all three parties in the House.

Motion agreed to.

Mr. Leluk: My amendment is really a motion to be moved in committee by the minister. Is he going to move an amendment?

Hon. Mr. Elston: Yes. I did move subsections 16a(1) and (2).

Mr. Leluk: You did move subsection 2?

Hon. Mr. Elston: Yes.

Mr. Leluk: My amendment is to subsection 16(a)(2). The one I have before me spells out that subsection 17(2) to subsection 17(6) "do not apply for the purpose of subsection 1." Is that correct? Is that what you have?

I would like to move an amendment to that. I move that subsection 16(a)(2) be amended by striking out "subsection 6" and replacing it with "subsection 5."

Mr. Chairman: I see your amendment is to subsection 16(a)(2). The "a" should not have brackets around it, because it is an amendment to the minister's section 16a.

Mr. Leluk: I stand corrected.

Mr. Chairman: Mr. Leluk moves that new subsection 16a(2) be amended by striking out subsection 17(6) and replacing it with subsection 17(5).

Mr. Leluk: This amendment proposes to remove subsections 17(2) to 17(6) from applying to this section. We believe subsection 17(6) appears to have been included in error in the exclusions. Possibly the minister could comment on that.

Hon. Mr. Elston: Subsection 17(6) was not included in error. From what I understand, the essence of this motion is to eliminate subsection 17(6) from the exclusions and then we can go up

to subsection 17(5). This is the first time I have seen this, so I want to understand what it is. I am seeking guidance from my officials, understanding that there has been no error and that subsection 17(6) was to be included in the exclusions. I am just now trying to find some extra information about the exclusionary items, if I can be allowed a moment. This is a new presentation.

Subsection 17(6) should not be excluded from this because it is part of the entire best-available-price program and regime. It should continue along, because subsections 17(2) to 17(6) obviously make up the best available price, and we are looking at maintaining the benefits of nondrug products on the basis of their current schedule of benefit listing, rather than introducing that scheme to these nondrug-product benefits.

Miss Stephenson: What is the rationale for the exclusion of the best available price for the drug products not so designated?

Hon. Mr. Elston: When we dealt with this in the committee, it was overlooked that we had not included nondrug benefits in the discussions. We introduced the amendment, section 16a, to allow us to continue to offer nondrug products as benefits. I do not think there was ever any anticipation of dealing with those under the best-available-price scheme. We are maintaining those benefits at the current level and under the current regime. I think that is the best way to handle them under the Ontario drug benefit plan.

Miss Stephenson: Why should we deal with one set of benefits in a different way from the remainder? I do not understand any argument I have heard the minister put forward so far as being in favour of maintaining a stance of doing it one way with those that are considered drug products and another way with others.

Hon. Mr. Elston: It is clear that under the Ontario drug benefit plan, nondrug products have always been considered in a different light to drug products. I do not see any reason for us to change that situation. We have different rules for the nondrug products now, as I understand it.

5:20 p.m.

The Deputy Chairman: All those in favour of Mr. Leluk's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

On section 17:

The Deputy Chairman: Hon. Mr. Elston moves that subsection 17(1) of the bill be amended by adding thereto the following clause:

"(ka) designating pharmaceutical products for the purpose of section 16a."

Hon. Mr. Elston: That falls in line with our previous amendment. It is to allow us to make regulations designating these pharmaceutical products that are the subject matter of subsection 16a as previously put.

The Deputy Chairman: All those in favour of Mr. Elston's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The Deputy Chairman: Hon. Mr. Elston moves that subsection 17(2) of the bill be struck out and the following substituted therefor:

"(2) In determining the amounts payable by the minister under subsections 5(1) and (2), the Lieutenant Governor in Council shall prescribe from time to time the best available price of the drug,

"(a) as determined by the minister from such sampling as the minister considers appropriate; or

"(b) as estimated by the minister, if the minister considers the information reasonably available to the minister is insufficient for the purpose of ascertaining the best available price,

"and prescribe a percentage of the best available price, not less than 10 per cent nor greater than 20 per cent, to be added to it."

Hon. Mr. Elston: This would allow the minister, when making determination of the best available price, and the Lieutenant Governor designating such, to take a sampling without having to go through what could be determined to be an exhaustive sampling, one that would allow an appropriate sampling so there could be an amount of information available from which to make a reasonable decision to determine the best available price.

In addition, it would allow an estimated best available price if the samplings were not sufficiently available. The current subsection would prevent the minister from making an estimated best available price in circumstances where information might not be as forthcoming as might otherwise be the case. This would allow that to occur. It would help in making the program of best available price workable and allow a quick determination of and collection of information needed to put the numbers together for printing of formulary and price information.

Miss Stephenson: When does the minister think it might be difficult to obtain the sampling that is necessary and under what circumstances does he think he might not get any information when this bill requires that if a drug or a drug product is to be a benefit, the information the minister requires must be submitted by the companies and wholesalers involved?

Hon. Mr. Elston: We have had part of this discussion before with the honourable member. It surrounds situations where some supplier decides we may not have jurisdiction to require him to submit information.

One of the very difficult tasks we have is getting the information and deciding on a price that will be used for our printing. If someone says, "We will not give you a price," the only leverage we have under the regime of the current Bill 54 is to delist the product. We think that is not a good deterrent in as much as I as minister would feel hard pressed to take a product out of the Ontario drug benefit program as a benefit to the people of the province, particularly when they may have been on the product for a considerable time. This will allow us to do an estimate and still keep the product as a benefit for the people in Ontario.

Miss Stephenson: I remind the minister that in assessing the best available price he does not have to depend only on the manufacturer. He can inspect the records of wholesalers, pharmacies, chains and all sorts of institutions across the province and determine from that source what the best available price is for almost anything that is available under the formulary or the drug benefit plan. There is no reason to suspect that the simple refusal of an out-of-province company would stymie the activity of determining the best available price of the drug product that company manufactures and sells in this province. The minister would not have to delist it. All he would have to do is go to the other sources that are available to him.

This does not ensure that there is any rationale in terms of the study that is carried out. It does not ensure that the same kind of examination which is required for the determination of the best available price is a part of the role. It does provide for a somewhat unilateral activity on the part of the minister from time to time. It would be better to maintain the pattern which has been established for all circumstances in these ones as well.

Hon. Mr. Elston: I appreciate the member's comments. However, again on this occasion, I will have to disagree with her analysis. This

provides us with something that is rationally to be perceived as helping the whole system work and function much better. For all of us here in the House, for all parties, the key to this legislation is that it must function, it must be workable, and this is one item which will make it much more feasible and much more workable.

Miss Stephenson: It does not add anything to the workability of the bill. It does ensure that, as a result of this act, the minister will have the authority to set prices unilaterally without examination for those products he thinks he does not have enough time or energy to explore in Ontario.

I do not believe that was intended by the actions prescribed in this bill and I, therefore, ask the minister to withdraw his amendment or join us in defeating it to ensure that the program we laboured long and hard to produce in all the discussions we had in committee will be maintained in this circumstance as well.

Mr. Leluk: I support my colleague's arguments with respect to the amendment moved by the minister. I would like to introduce a further amendment.

5:30 p.m.

The Deputy Chairman: Mr. Leluk moves that clause 17(2)(a) be amended by adding the word "reasonably" after the word "minister" in line 2, and that clause 17(2)(b) be amended by adding the word "reasonably" before "estimated" in line 1 and striking out the word "reasonably" before the word "available" in line 3.

Mr. Leluk: This would more accurately reflect the intent of this proposed amendment. The same applies to clause 17(2)(b).

Hon. Mr. Elston: I do not believe the suggestions made in this case add anything to make the subsection more functional than it already is.

The Deputy Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

The Deputy Chairman: All those in favour of Mr. Elston's amendment will please say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

Hon. Mr. Elston: Under the circumstances, it is necessary to move what was intended as an

amendment to subsection 17(3), which is really a deletion in the following situation.

The Deputy Chairman: Mr. Elston moves that section 17 be amended by deleting subsection 17(3).

Hon. Mr. Elston: I ask that we vote on subsection 17(3). As I understand it, the motion forwarded to you indicates a deletion. It just says "strike out the section," so we must vote on subsection 17(3).

Mr. Leluk: May we comment?

The Deputy Chairman: Certainly. Go ahead.

Mr. Leluk: We have no objection to the removal of this subsection as long as Bills 54 and 55 are enacted and proclaimed simultaneously. If they are not, the proposed amendment will violate the spirit and the intent of the legislative package being recommended by the standing committee on social development.

Mr. D. S. Cooke: I want to get a better understanding from the minister of the reason for this amendment. It was not clear.

Hon. Mr. Elston: The reason we are requesting subsection 17(3) be deleted is that it results in redundancy with respect to the operation of the sections. We already have the Lieutenant Governor in Council prescribing best available prices. We have gone through setting up the regime under subsection 17(2) and clause 17(2)(a) by having the Lieutenant Governor in Council prescribe the amounts.

Let me look at the subsection we just passed. It states that "the Lieutenant Governor in Council shall prescribe from time to time the best available price of the drug," and so on, with a percentage in addition.

Subsection 17(3) states, "where the Lieutenant Governor in Council is prescribing the best available price," and so on. It has some other sections that are affected by the amendments proposed under the new subsection 17(2). That is where the redundancy results.

Miss Stephenson: Our concern is that it removes any reference to interchangeable products within this piece of legislation. If there is not a reasonable definition of "interchangeable products" in Bill 55, this deletion also removes the reference to Bill 55. That is also of concern because within the act now there is obviously no relationship defined between the two listings of drugs.

Hon. Mr. Elston: Other concerns expressed by ministry staff also surround the fact that this subsection is badly worded from the standpoint that it indicates we have to deal with finding the

best available price of a drug by determining the best available price of a product that is interchangeable with it, and there are certain drafting errors that cause us real concerns.

In conjunction with subsections 17(2), which has already been dealt with, and 17(5), which is the one I was trying to couple with this amendment earlier, we then set out a more complete and much better worded series of subsections so that we end up with a best available price that applies to all of the products listed under the Ontario drug benefit plan rather than having some excluded by the poor wording in subsection 17(3).

Mr. D. S. Cooke: If this amendment were carried, what effect would it have on the formulary? With single-source drugs, for example, would it mean we would not have a listing for all of the drugs in the formulary? Is that the implication of this amendment?

Hon. Mr. Elston: This would not exclude the listing of prices for single-source drugs.

Miss Stephenson: That does not come in subsection 17(5).

Hon. Mr. Elston: I do not see how we could have a formulary that does not list single-source drugs. That just is not going to happen. I do not follow that question. I am sorry.

The Deputy Chairman: Would you care to consult further?

Hon. Mr. Elston: No, I do not think I have to consult further, because we would have the best available price determined for single-source products and all products listed in the Ontario Drug Benefit Formulary. There is no desire to exclude best available price on single-source drugs. The thing we agreed upon in committee, as I understand it, was to have the best available price for all the products in our formulary.

5:40 p.m.

Miss Stephenson: That is why I was concerned about the preceding section. It permits the minister to use his own discretion in determining the prices of any one of a number of drugs. It would be difficult for him to use the mechanism he has laid out in subsection 17(2), which unhappily has been carried, for interchangeable drugs. He would have to carry out the survey to find out which is the lowest cost drug. Obviously, he is not now required to do that as a result of subsection 17(2). Unilaterally, and at his own discretion, he can determine, as he wishes, what the price will be for any drug that is not an interchangeable drug. That is what subsection 17(2) permits him to do. I am not sure whether

there is any point in locking the barn door now. The horse has gone.

Hon. Mr. Riddell: It will come back.

Miss Stephenson: Part of its anatomy is already here.

Hon. Mr. Elston: The veterinary school is down the road a little way from here; however, if the member for York Mills and others wish to get into animal husbandry and anatomy, they might want to adjourn there.

I want to turn the minds of committee members to the last part of subsection 17(3) and read what it says. Talking about best available price, it says "the amount prescribed shall be the best available price of the least expensive product that is interchangeable with it." This means that if you have a product that is more expensive than its interchangeable partner, we will call it, you have to prescribe that as the best available price for the product, and that in itself would cause us considerable problems.

If it is the will of the committee that this remain as part of the bill, I am prepared to go along with it. After all, the product in front of us is largely the will of the majority of the committee members at the committee stage. I am prepared to live with that.

Miss Stephenson: Where will the reference to Bill 55 be in this bill? How is the unity between the two to be maintained; the fact that there is a relationship between the two bills? The drugs we are talking about will be used under both pieces of legislation and the listing and designation is the same in both circumstances. However, the minister is not suggesting there is anything in this bill except the regulations he may want to make from time to time. "He may" is exactly what it says.

The difficulty is that what is going to be done is being prescribed in this bill. The protection necessary for both the public and the dispenser is not being spelled out as a result of the action the minister has taken in amending subsection 17(2).

Hon. Mr. Elston: I am having a difficult time trying to follow this. I went for a little assistance to try to figure out exactly what the member was trying to say. If she is saying that by not referring to Bill 55 here we are not going to be listing interchangeable products, that is not going to happen. We will have interchangeable products and they will be listed. From that standpoint, when we have interchangeable products, we will use them as part of the benefit under the Ontario Drug Benefit Formulary. That is the whole idea

and the essence behind the operation of the legislation and the program itself.

I cannot give any more information about our wanting to maintain the interchangeability nature of our listing. From a practical standpoint, there will be that continued unity that they never wish us to describe in such a manner.

Mr. Chairman: Mr. Elston has moved that subsection 17(3) of the bill be struck out.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Miss Stephenson: Let us try it again; I did not hear anything from down there.

The Deputy Chairman: Mr. Elston moves that subsection 17(5) of the bill be amended,

(a) by inserting after "millilitre" in the third line "tablet"; and

(b) by striking out "that drug" in the fourth line and inserting in lieu thereof "a listed product of that drug."

Hon. Mr. Elston: These two amendments are merely to include one of the most commonly used measurements in dispensing a product, a tablet, which should be in there to determine price. Then that drug is "a listed product of that drug," which complies with the manner in which the legislation has been set up by definitions.

Miss Stephenson: Can I ask for a definition of "a listed product of that drug?"

Hon. Mr. Elston: We have defined "a listed drug product" in the bill, and this is just a variation on that. It can be more clearly understood than when it says "that drug," which does not refer to any part of the definition at all. We have always looked at listing as part of the determination of the availability of the product as a benefit.

Miss Stephenson: Does the minister mean "that listed drug product"?

Hon. Mr. Elston: There are differences. There are "listed products of that drug," which are much more clearly defined.

Miss Stephenson: They are "listed drug products." That is what is in the definition.

Hon. Mr. Elston: We have those defined, and I can tell the member that if she wishes to change that to something else, it would prevent us from dispensing the medication which is prescribed by her colleagues in the medical profession. What we need is this flexibility of wording. "That drug" is much too specific for us in the circumstances of this subsection. We have the

"listed product" because there are a number of products under each drug item, as I understand the way this thing has always been set up. This will allow us to issue the listed product under the category of drug. Maybe it is a little confusing, but it is needed, and I ask that the member support us.

Miss Stephenson: I gather what you mean is a listed drug product of that pharmaceutical, because given your definitions and given the act up to now, there is no such thing as the listed product of that drug.

5:50 p.m.

Hon. Mr. Elston: I am quite prepared to have it read "a listed drug product of that drug" instead of just "a listed product." I have no problem with that at all. To speed things up and assist in this, can I change clause (b) of the amendment to "by striking out 'that drug' in the fourth line and inserting in lieu thereof 'a listed drug product of that drug'?"

The Deputy Chairman: Clause (b) of the amendment to subsection 17(5) of the bill would read "by striking out 'that drug' in the fourth line and inserting in lieu thereof 'a listed drug product of that drug.'"

Is it the pleasure of the House that the motion carry?

Motion agreed to.

The Deputy Chairman: Mr. Leluk moves that subsection 17(5) be amended by adding after the word "Canada" in line 5 the following, "from a wholesaler or direct as the regulations prescribe," and striking out in line 5 the words "for wholesale or."

Mr. Leluk: The intent of this amendment is to preserve the present indirect and direct listing of drug products so that all pharmacies can continue to utilize the necessary services provided by drug wholesalers. We believe the ministry shares the pharmacists' views that the drug wholesaling function is necessary and vital to the drug distribution system. Without our proposed amendment, as has been drawn to our attention by drug wholesalers, the present wording could render the entire wholesale function noncompetitive. In the short run, this might mean marginal savings on some drug costs to some purchasers, but in the long run we believe it will mean the demise of the community pharmacy as a viable entity.

Hon. Mr. Elston: One of the difficulties with the suggested amendment is that it enshrines the main reason we are here today; that is, the whole question of drug price spreading. This in effect

does not get at what is intended by the best available price that is available to the purchaser, but moves it to a secondary level after which there has already been some percentage markup to deal with some of the overhead items. We cannot support the amendment proposed by the member for York West.

The Deputy Chairman: All those in favour of Mr. Leluk's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 17, as amended, agreed to.

On section 18:

The Deputy Chairman: Mr. Leluk moves that section 18 of Bill 54 be amended by adding at the end:

"but if no such date is proclaimed to bring this act into force before the 31st day of December, 1986, this bill shall come into force on the 31st day of December, 1986."

The Deputy Chairman: Do any other members wish to speak to the amendment?

Hon. Mr. Elston: I think it is the intention of all of us to make sure this is in effect as soon as practically possible after putting the regulations together, but I do not think there is any real need to restrict the discretion of the Lieutenant Governor at this stage.

Mr. D. S. Cooke: We will not be supporting the amendment. If we were not going to be proceeding with these bills in the province, obviously we would not be dealing with them today in the committee of the whole. They just would not have been called by the government to be dealt with today. There is obviously some intention that the government is going to proceed with these bills or we would not be dealing with them clause by clause today.

Miss Stephenson: I would hope that the feeling of support for this action would be unanimous. However, after nine and a half weeks of waiting for these bills to be introduced in this House after they came out of committee, one has just a little bit of concern about whether, in fact, there will be the kind of urgency that seems to be necessary, particularly when, for at least nine weeks, there has been a real capability on the part of the minister to introduce the new formulary and the new drug price listing, and that has not been done.

There has been no legal impediment. The minister could have done that without even introducing these bills, as a matter of fact, and he

has left the pharmacists in Ontario to suffer for that period. We are a little concerned that maybe even passing the bills is not going to encourage the minister to move with the kind of alacrity that we would hope he might demonstrate.

Hon. Mr. Elston: I always appreciate the interventions of the member for York Mills. I appreciated them for several days in committee on this bill. I appreciated, during the nine and a half weeks about which she so eloquently speaks, her interventions on another piece of legislation that was before this House when she was, if not singlehandedly, almost singlehandedly in charge of dispensing pearls of wisdom in this great and august chamber.

I appreciate more than anyone else in this province the fact that the honourable member has a great deal to say about matters of particular concern to her. I appreciate the fact that she wishes us to move quickly and I ask her assistance in moving these bills quickly through the rest of the stages of the House.

It is of interest that we spent so much time listening to your pearls of wisdom on another particular piece of legislation, Bill 94, which your leader now says he will repeal as soon as he has a chance to get on the election trail. I really suspect that the honourable member would want to be assured—and I will assure her here—that when these bills are passed, and I know they will be very shortly, it is not my intention either to ignore them by refusing to implement them, or to withdraw or repeal the legislation once the majority of the House has spoken.

Miss Stephenson: I am tremendously reassured, having listened to those pearls of wisdom, that there will be movement on the part of the minister in terms of this bill. The minister has not always demonstrated this kind of commitment to that course of action. It was simply to try to ensure that there would be action taken in this area within a reasonable time.

6 p.m.

I hope the minister is aware that these bills are terribly imperfect. They suffer awful warts and dreadful blemishes and they will provide a good deal of meat for legislative amendment for many years to come; unless the minister decides the people of Ontario do not deserve the best kind of pharmaceutical and pharmacists' services.

If the minister wishes to give us that commitment, having had it on record in Hansard, I am sure we will be pleased to accept his word this time.

Hon. Mr. Elston: I only wish to share with the members of this august chamber the fact that this

product is very much different to the one which was initially introduced. The warts which are here assembled under the auspices of Bills 54 and 55 as they now appear are actually the collective warts of the members of the Legislature. The member for York Mills would want to indicate that she had a large part to play in not only fashioning the warts but ensuring that they arrive.

Miss Stephenson: Oh, no, not in devising the warts.

Mr. Chairman: All those in favour of Mr. Leluk's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr. Chairman: This appears to be the last section on which there is an amendment or questions or comments. Is that correct?

Section 18 agreed to.

Section 19 agreed to.

Bill, as amended, ordered to be reported.

PRESCRIPTION DRUG COST REGULATION ACT

Consideration of Bill 55, An Act to provide for the Protection of the Public in respect of the Cost of Certain Prescription Drugs.

Mr. Chairman: Are there any questions, comments or amendments?

Hon. Mr. Elston: I have amendments to propose to subsections 7(1) and 7(2), clause 7(3)(c) and subsection 14(1).

Mr. Leluk: I have some amendments to subsection 4(1), subsection 7(1), clauses 7(1)(a) and 7(2)(a) and subsection 7(3) and a new subsection 7(4). We also have clause 14(1)(d), a new clause 14(1)(e), an amendment to subsection 14(2) and an amendment to section 16.

Mr. Chairman: Are there any other amendments?

Hon. Mr. Elston: May I request copies of all of the amendments proposed by the member for York West (Mr. Leluk)? I have a couple of them.

Mr. Leluk: Do you not have them?

Hon. Mr. Elston: No. The only ones I have are the member's suggested amendments to subsection 4(1) and section 16 of Bill 55.

Miss Stephenson: You have section 1.

Hon. Mr. Elston: No, I do not have anything.

Mr. Leluk: I have to apologize; I do not have a second set to give to the minister.

Mr. D. S. Cooke: I do not have a copy of them either.

Mr. Chairman: The table does not have copies either.

On section 1:

Mr. Chairman: Does the member for York Mills (Miss Stephenson) have an amendment?

Miss Stephenson: Yes, I have one.

Mr. Chairman: It is very short?

Miss Stephenson: It is relatively short. I believe you have a copy of it.

Mr. Chairman: No, I do not.

Miss Stephenson: I shall be glad to give you one. I was informed that the table had a copy.

Mr. Chairman: Miss Stephenson moves that section 1 of the bill be amended by striking out in line 10 the words "and designated as interchangeable with one or more other such products" and substituting therefor,

"(a) for which there is bioequivalence with one or more other such products;

"(b) equivalent therapeutic effectiveness with one or more other such products, as determined by clinical trials; and

"(c) designated as interchangeable with one or more other such products."

Miss Stephenson: During the hearings on Bill 55, we heard from time to time of the matters that had been raised by the adverse drug reaction committee and the means that had been utilized by the Drug Quality and Therapeutics Committee to determine interchangeability of drugs. During that period, I attempted to explain to the committee, which wondered why the concern about interchangeability was suddenly rearing its head at that point, that the increased production of generic drugs, the increased utilization of drugs, the increased utilization of interchangeable drugs as mandated by regulation or by legislation and the fact that there were now mechanisms for reporting adverse drug reactions, which are of relatively recent age, were beginning to provide information.

The members of the committee will be aware that most of the publication in this very important area occurred in 1985 and 1986. When we legislate in either Bill 54, which we have just passed, or Bill 55, which we are about to consider, that there will be interchangeable drugs listed within our formulary, it is essential that there must be some reasonable protection of the public in terms of the validity of that word "interchangeable."

We were made aware in committee that interchangeability is not a matter of concern to the drug division of the federal Department of National Health and Welfare. When the representatives of that division were before us in committee, they were concerned with the purity of drugs and whether they are therapeutic or effective, but they were not concerned at all about interchangeability. They said very clearly during the hearings that interchangeability is not in their lexicon. Interchangeability is the responsibility of the provincial governments, which are printing formularies to ensure their drug benefit programs function effectively.

As a result of fairly close questioning, not only of representatives of the Drug Quality and Therapeutics Committee but also the manufacturers, we learned that, although extensive clinical testing is required of new and innovative drugs, it is not required of drugs which are manufactured in copy of the innovative drugs which have been introduced.

6:10 p.m.

There has been a good deal of work carried out by a number of people, not all of whom are physicians, I am happy to tell the minister, who believes this is a matter of concern only to physicians. He should be aware it is a matter of great concern to pharmacologists, pharmacists and patients themselves. A great deal has been published within the last year and a half related to the inappropriateness of determining interchangeability on the basis of purely in vitro testing.

In Ontario, most in vivo testing of drugs, 90 per cent of all drugs that are to be listed in the formulary in this province, is carried out on healthy males and is a result of a single dose of the active ingredient of a drug and the subsequent measurement, on an hourly, bi-hourly or multiple hourly basis for a period of time, of the excretion or the level of the drug found in blood and other body fluids. It is on the basis of some norm, some approach to the pattern of absorption that is seen in the innovative drug in most patients that the variation is measured for those levels of absorption in the individuals tested.

We were informed that in many circumstances the total amount of bioavailable testing that is carried out is carried out in a motel that I think is in the riding of the member for York Centre (Mr. Cousens) on Yonge Street called the Emerald Isle Motel, in which 12 or 18 and sometimes 24 healthy firemen, all males I remind the minister, are brought in on a regular basis and given a dose of the drug that is to be tested. They are then

brought back on a regular basis every hour, every two hours or something of that sort, depending on the level that is needed for therapeutic effectiveness in regard to those body fluids, to ensure that the absorption has been within the range, 20 per cent above or 20 per cent below, that is prescribed as the reasonable range of absorption of the innovative drug.

This does not take into account any disease mechanism, any age factor or any other of the physiological or anatomical factors that might have some effect on the absorption. The numbers of people involved are very small. Those are not clinical trials; they are biochemical trials and are carried out in vivo.

The percentage of drugs required to proceed through clinical trials, carried out on the drugs that are to be listed in Ontario in the formulary through actual examination, dispensing, prescribing and giving to patients suffering from the disease for which the drug is supposed to be effective, is slightly less than 10 per cent of all the drugs listed.

It probably was a reasonable direction to take in the beginning when there was no law that said interchangeability and substitution of interchangeable drugs was mandatory under certain circumstances. It was probably reasonable to anticipate that there would not need to be any grave concern about this when the number of interchangeable drugs was very much smaller than it is now.

However, it has been discovered that even the same compounds produced by innovative drug manufacturers do not necessarily, in all circumstances, have exactly the same effect. Therefore, it is essential that there be some clinical trial of all drugs that are going to be listed for dispensing to patients in Ontario.

The members of the third party have felt that my concern about this is related to some kind of attack on generic drugs. I am not attacking generic drugs. Generic drugs have been extremely useful and most of those listed in the formulary to the present time have been used effectively and have not provided problems.

I am talking about all drugs. There has to be a mechanism to ensure that when patients take drugs for the purposes for which the drugs are prescribed, there is a reasonable range, not only of effectiveness but also of lack of side-effects, lack of uncomfortable problems that may arise and lack of lethal problems that may arise in all those circumstances, and all the drugs that are to be considered to be interchangeable should fall

within a range of normal, no matter who manufactures them.

This is what I have been asking for. As a result of the concern expressed by the members of the third party regarding patient safety, regarding the need to ensure that when we legislate that drugs must be substituted we are sure there is safe substitution of drugs, I anticipated there would be reasonable support within that party of the kind of amendments we had provided at that time.

It was suggested by the minister that the amendment introduced at the time of the committee hearings would ensure that every single, currently listed drug of any sort within the Ontario Drug Benefit Formulary would be clinically tested again. That is not what one had in mind.

One had in mind that the Drug Quality and Therapeutics Committee—made up, as it is supposed to be, of knowledgeable pharmacologists, pharmacists and clinical physicians—would determine that all those drugs which have been used with a degree of impunity, which have not been noted in the publications of adverse drug reactions and which have appeared to be clinically effective would not be required to be subjected to clinical trials and that those drugs which had been subjected to clinical trials previously would not, unless there were a change in their formulation.

One anticipated that those concerned about the liability of pharmacists, physicians, drug manufacturers, ministers and everyone else would want to ensure this kind of patient protection would be an inherent part of any legislation which required substitution of interchangeable drugs. Unhappily, the amendment that was introduced in committee was not accepted.

Therefore, I rise at this point to support the amendment I have put before the House today. It says very clearly that from this date forward any drug which is going to be listed in a new formulary and which has not been previously listed must be required to pass the tests that I have suggested.

If there are members who believe that this is unnecessary, that it will be entirely too costly, they are probably quite wrong. The cost of this is not necessarily a heavy cost. Clinical trials that are not necessarily of horrendously extensive scope can be prescribed. They will provide for the administration of the drug to be tested to those individuals who have the disease for which the drug is said to be effective and who are within a range of ages.

This will ensure that there was some kind of examination of the effect of the physiological changes of age, the differences in physical structure and anatomy and the differences in physiology. There will be some indication of whether this drug is going to be effective for all people or whether in some circumstances it is not going to be. If it is not, then clinical trials of a more extensive nature can be prescribed. I suggest that the Drug Quality and Therapeutics Committee would be the appropriate body to make that kind of determination.

I do not believe, however, that we should permit a formulary to be published in Ontario listing so-called interchangeable drugs in which there is absolutely no security, for either the pharmacist who is dispensing them, the physician who is prescribing them or the patient who is taking them, that the drugs are interchangeable in terms of their lack of side-effects and lack of inappropriate responses on the part of patients.

6:20 p.m.

If the minister thinks I am suggesting that I am alone in this concern, I must tell him that publications have appeared within the past year, not only in Canada but also in the United States, where, I have been informed frequently by the officers of the Ministry of Health, clinical testing is not required. Some members of the bureaucracy in the United States have suggested clinical testing is unnecessary and a duplication of effort. There are a number of professors of pharmacology, deans of pharmacy and individuals with real expertise in pharmaco-therapeutics, who are not necessarily physicians, who have stated clearly that they believe they are treading on very dangerous ground in the United States at present in not insisting on clinical trials.

A number of those who have written have suggested strongly that clinical trials are the only way in which one can determine any degree of bioequivalence. Equivalency in terms of absorption does not necessarily mean the drug is a bioequivalent drug; that is, that it will have the same kind of general effectiveness and lack of general discomfort that another drug will have. It has been discovered by many people that substances that are not necessarily the active principal in a drug are equally guilty, sometimes much more guilty, of the poor and destructive side-effects patients have noticed and that have been reported in the adverse drug reaction program.

There are people, such as John Somberg of the American Journal of Clinical Pharmacology, who suggest that the lower cost of generic drugs

is an advantage and that in this era of spiralling health care costs this is an important consideration. However, the health of patients cannot permit a less-than-thorough evaluation of these new additions to the therapeutic armamentarium. He says:

"The challenge to the clinical pharmacologist is to ensure that generic and proprietary drugs are truly therapeutically equivalent. We have to develop adequate clinical information as a base so that scientifically reasonable assessment can be carried out. That is what is required in this province at this time if we are going to ask the legislators of the province to enshrine in legislation mandatory substitution of drugs as listed within our formulary."

In the American Journal of Clinical Pharmacology, Harold R. Dettlebach, president of the American College of Clinical Pharmacology, stated very clearly, "With all the known sources of variability, it is simply not logical and not good science and certainly not in accordance with the principles of clinical pharmacology to continue to operate under the present system of approvals for drugs, especially generic drugs."

"This is not," Dr. Dettlebach reminds us, "a condemnation of all generic drugs by any means." It is a condemnation of our present system for the testing and the designation of such drugs. It certainly seems that at the very minimum an analysis of the clinical pharmacology for a given drug should have to carry with it an explanation of all of the tests conducted including the methodology used and the clinical trials carried out, a description of the subjects or patients in which the parameters were measured and a good deal more information in order to evaluate differing data and conflicts arising from the testing of supposedly similar compounds made by different manufacturers.

"If one carries this line of thinking further," Dr. Dettlebach suggests, "the question arises as to why such information should not be a part of the required labelling for each multisource drug. That is the kind of thing that we are concerned about."

Dr. Peter Lamy, who is a PhD, a pharmacologist, suggests very strongly that in spite of the fact that in the United States at present about one half of all prescriptions are written for generic drugs, primarily for chronic care drugs which are interchanged, there is very real concern that there is no security and no knowledge that these drugs are truly interchangeable.

Dr. Lamy suggests that not only should the provider of the drugs have a choice in the

treatment of illness, but also the patient should have a choice in the selection of the drug he or she is to be given from the roster of interchangeable.

“There is no doubt,” Dr. Lamy has suggested, “that the listing in the FDA publications is inadequate,” that those acceptances without question of the various classifications used in the Food and Drug Administration book are inappropriate. “In some instances,” he says, “even if a generic becomes available and appears in the listing as therapeutically equivalent, it is accepted in the United States when it is not known whether it truly is therapeutically equivalent.”

Hon. Mr. Nixon: May I ask the member whether this is a convenient time to break her flow so we might have the committee rise? We have a small bit of additional business before adjournment.

On motion by Hon. Mr. Nixon, the committee of the whole House reported one bill with certain amendments and progress on another.

Hon. Mr. Nixon: Mr. Speaker, may I ask for unanimous consent of the House to revert to

committee reports for a report from the standing committee on resources development?

Mr. Speaker: Is there agreement of the House?

Agreed to.

**REPORT BY COMMITTEE
STANDING COMMITTEE ON
RESOURCES DEVELOPMENT**

Mr. Laughren from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 11, An Act respecting the Protection of Rental Housing.

Motion agreed to.

Bill ordered for committee of the whole House.

The House adjourned at 6:28 p.m.

CONTENTS

Wednesday, July 9, 1986

Members' statements

| | |
|--|------|
| Smoking in the work place, Mr. Sterling | 2251 |
| Small businesses, Mr. Laughren | 2251 |
| Northern development, Mr. Rowe, Mr. Morin-Strom | 2251 |
| Cedar Springs Cherry Festival, Mr. McGuigan | 2252 |
| Back-benchers' questions, Mr. Rowe | 2252 |
| Occupational health and safety, Mr. Martel | 2252 |

Statements by the ministry and responses

| | |
|---|------|
| Fulton, Hon. E., Minister of Transportation and Communications: | |
| Highway construction, Mr. Gregory | 2253 |
| Grandmaître, Hon. B. C., Minister of Municipal Affairs: | |
| Pollution control, Mr. Partington, Mrs. Grier | 2255 |
| Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy: | |
| Herbicide spraying, Mr. Bernier, Mr. Laughren | 2254 |
| Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions: | |
| Appointments in public sector | 2255 |
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet: | |
| Suncor holdings | 2255 |

Oral questions

Elston, Hon. M. J., Minister of Health:

Drug Quality and Therapeutics Committee, Mr. Andrewes 2265

Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions:

Bakery prices, Mr. Laughren 2264

Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet:

Property assessment, Mr. Grande 2264

Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines:

Former member's comments, Mr. Grossman 2256

Alleged conflict of interest, Mr. Harris 2257

Northern development, Mr. Rae, Mr. Wildman 2258

South African investments, Mr. Rae, Mr. Foulds 2259

Alleged conflict of interest, Mr. Pope 2260

Northern development, Mr. Morin-Strom, Mr. Wildman 2261

Northern development, Mr. Pope 2262

Amateur hockey, Mr. Martel 2262

Dash-8 aircraft, Mr. Bernier, Mr. Pierce 2263

Northern development, Mr. Pope 2264

Technology fund, Mr. Barlow 2266

Urban Transportation Development Corp., Mr. Foulds 2266

Riddell, Hon. J. K., Minister of Agriculture and Food:

Insurance rates, Mr. Wiseman 2267

Scott, Hon. I. G., Attorney General:

Police investigation, Mr. Shymko 2261

Wrye, Hon. W. M., Minister of Labour:

Janitorial services, Mr. Mackenzie 2265

Petitions

Sale of beer and wine, Mr. Polsinelli, tabled 2267

Naturopathy, Mr. Polsinelli, Mr. Cordiano, tabled 2267

Sale of beer and wine, Mr. Barlow, tabled 2267

Property assessment, Mr. Grande, tabled 2268

Motions

Withdrawal of Bill 87, Mr. Nixon, agreed to 2268

Referral of Bill 77, Mr. Nixon, agreed to 2268

Committee travel, Mr. Nixon, agreed to 2268

Private members' public business, Mr. Nixon, agreed to 2268

House sitting, Mr. Nixon, agreed to 2268

First readings

Liquor Control Amendment Act, Bill 119, Mr. Kwinter, agreed to 2269

Liquor Licence Amendment Act, Bill 120, Mr. Kwinter, agreed to 2269

Land Titles Amendment Act, Bill 121, Mr. Kwinter, agreed to 2269

| | |
|---|------|
| Registry Amendment Act, Bill 122, Mr. Kwinter, agreed to | 2269 |
| Municipality of Metropolitan Toronto Amendment Act, Bill 123, Mr. Grandmaître, agreed to | 2269 |
| Occupational Health and Safety Amendment Act, Bill 124, Mr. Sterling, agreed to | 2269 |
| Women's Secretariat for Sport and Fitness Act, Bill 125, Ms. Gigantes | 2269 |
| Tommy Douglas Day Act, Bill 126, Mr. Foulds, agreed to | 2269 |

Second reading/Deuxième lecture

| | |
|--|------|
| French Language Services Act, Bill 8, Mr. Grandmaître, Mr. Guindon, Mr. Rae, Ms. Munro, agreed to | 2271 |
| Loi de 1986 sur les services en français, loi 8, M. Grandmaître, M. Guindon, M. Rae, Mme Munro, adoptée | 2271 |

Committee of the whole House

| | |
|---|------|
| Representation Act, Bill 77, Mr. Nixon, Miss Stephenson, reported | 2269 |
| Election Finances Act, Bill 103, Mr. Nixon, Miss Stephenson, Mr. McFadden, reported . | 2270 |
| Ontario Drug Benefit Act, Bill 54, Mr. Elston, Miss Stephenson, Mr. Leluk, Mr. D. S. Cooke, reported | 2276 |
| Prescription Drug Cost Regulation Act, Bill 55, Mr. Elston, Miss Stephenson, progress reported | 2286 |

Report by committee

| | |
|---|------|
| Standing committee on resources development, Mr. Laughren, agreed to | 2290 |
|---|------|

Other business

| | |
|--|------|
| Use of third language, Mr. Shymko | 2268 |
| Adjournment | 2290 |

SPEAKERS IN THIS ISSUE

Andrewes, P. W. (Lincoln PC)
Ashe, G. L. (Durham West PC)
Barlow, W. W. (Cambridge PC)
Bernier, L. (Kenora PC)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
Cooke, D. S. (Windsor-Riverside NDP)
Cordiano, J. (Downsview L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Foulds, J. F. (Port Arthur NDP)
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
Gigantes, E. (Ottawa Centre NDP)
Gillies, P. A. (Brantford PC)
Grande, T. (Oakwood NDP)
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)
Gregory, M. E. C. (Mississauga East PC)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Guindon, L. B. (Cornwall PC)
Harris, M. D. (Nipissing PC)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Laughren, F. (Nickel Belt NDP)
Leluk, N. G. (York West PC)
Mackenzie, R. W. (Hamilton East NDP)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McFadden, D. J. (Eglinton PC)
McGuigan, J. F. (Kent-Elgin L)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Morin-Strom, K. (Sault Ste. Marie NDP)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines (London Centre L)
Pierce, F. J. (Rainy River PC)
Polsinelli, C. (Yorkview L)
Pope, A. W. (Cochrane South PC)
Rae, R. K. (York South NDP)
Riddell, Hon. J. K., Minister of Agriculture and Food (Huron-Middlesex L)
Rowe, W. E. (Simcoe Centre PC)
Scott, Hon. I. G., Attorney General (St. David L)
Shymko, Y. R. (High Park-Swansea PC)
South, L. (Frontenac-Addington L)
Stephenson, B. M. (York Mills PC)
Sterling, N. W. (Carleton-Grenville PC)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Wildman, B. (Algoma NDP)
Wiseman, D. J. (Lanark PC)
Wrye, W. M. (Windsor-Sandwich L)

APPENDIX

**LOI DE 1986 SUR LES SERVICES EN FRANÇAIS
FRENCH LANGUAGE SERVICES ACT**

Translation of remarks on second reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

Traduction des remarques lors de la deuxième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

This appendix should be inserted following Hansard No. 45, for Wednesday, July 9, 1986, Second Session, 33rd Parliament.

Cette traduction s'insère comme appendice dans le Hansard numéro 45 du mercredi 9 juillet 1986, deuxième session, 33e Parlement.

The debate begins on page 2271.

Le débat commence à la page 2271.



APPENDIX

LOI DE 1986 SUR LES SERVICES EN FRANÇAIS FRENCH LANGUAGE SERVICES ACT

L'honorable M. Grandmaître propose la deuxième lecture du projet de loi 8, Loi assurant la prestation de services en français par le gouvernement de l'Ontario.

Hon. Mr. Grandmaître moved second reading of Bill 8, An Act to provide for French Language Services in the Government of Ontario.

Hon. Mr. Grandmaître: Last May 1, when I initiated Bill 8 regarding French-language services, I noted that this assembly recognized that we had just passed a milestone.

Il ne paraît pas exagéré de dire que le pays tout entier suivra de près nos débats. Je suis sûr qu'ils prouveront que nous croyons que tous les Ontariens, qu'ils soient anglophones ou francophones, ont droit à un traitement égal et juste.

Guaranteeing French language rights constitutes a major challenge for the administration. It is, in fact, extremely rare for an act to affect all aspects and activities of the government of Ontario. The bill we are considering today affects the ministry, the agencies, the councils, the commissions, the institutions, as well as the whole range of para-public organizations.

Les députés se rendront compte que le projet de loi qui leur est proposé est le résultat de consultations étendues non seulement au sein de la machine gouvernementale, mais aussi avec les représentants de la communauté francophone et de nombreux conseillers et experts. Je suis convaincu que nous sommes parvenus à fournir une garantie solide des droits de la langue française et à concevoir un système pratique et réaliste de prestation des services du gouvernement en français.

Section 5 forms the basis of the bill. It clearly recognizes the people's right to receive French-language services from the government of Ontario in the designated area of the province and to communicate in French with the government.

If this right is not respected, citizens may have recourse to the Courts. This section is inspired by section 20 of the Charter of Rights which guarantees the right to receive services from the federal government in the two official languages of Canada.

Les ministères et autres organismes gouvernementaux se voient accorder trois ans pour mettre en place toute la gamme de services garantis par l'article 5. Ils seront secondés dans cette tâche par la Commission ontarienne des services en

français qui leur donnera des conseils pratiques sur la meilleure manière d'atteindre nos buts dans les délais prescrits. Nos consultations indiquent aussi clairement que la loi reflètera un certain degré de souplesse.

Nous sommes obligés de reconnaître que du fait de l'autonomie des organismes de paiement de transfert, toutes les parties de l'énorme machine gouvernementale ne pourraient ni ne devraient automatiquement respecter le délai de trois ans. Le Cabinet conserve donc le pouvoir de désigner certaines parties du système dans lesquelles nous avons réussi à créer la capacité nécessaire de services en français. Cela ne revient pas à dresser une liste d'exceptions. Le Cabinet a toutes les intentions du monde d'exercer son autorité afin de veiller à ce que tous les services soient disponibles en français dès que cela sera humainement faisable.

I believe that all the members now have a precise idea of the provisions of Bill 8 regarding French-language services as well as of the means of their enforcement. I would be happy to hear comments from the members who wish to take part in these debates during the second reading of this bill, which is extremely important for both the populations of Ontario and Canada as a whole.

Mr. Guindon: I am pleased today to support the government's presentation of Bill 8 for second reading. To repeat somewhat what has been said in the past regarding the former government's provision of services to francophones, I must say that, at that time, we were also expecting something new, a revitalizing of government systems concerning French Canadians.

We were expecting a system which would bring about a complete change and instead, I find that we have the same system as before, but that we have moved one step forward. We are still making the same progress, but it's a good thing. I must say that I am proud to be in a position to support such an act. As well, when the time comes, we may have some amendments to suggest.

I would also like to make some comments regarding what has been happening lately, both inside and outside the Legislature, regarding the francophone members or members. My memory is not too good, but I do remember that around

March 18, 1981, Stuart Smith had said, somewhere in the north—I don't really know where—that the Conservative Party hated francophones. These were inflammatory remarks. Several days ago, we also heard the words of the former Minister of Northern Development and Mines (Mr. Fontaine) who made a statement on the radio and we are all well aware of what he said.

This is often another attitude prevalent within the Liberal Party or the government. It is also the prevailing attitude at Francophone Affairs. Every time there is a delay, or a question is asked regarding the progress of bills, whether it be Bill 8 or another bill, the blame falls upon the Conservatives. We are told: "Isn't it a terrible thing that we don't get on with the second reading? It's the fault of the Conservatives; it's Guindon's fault."

16:10

This does not help the attitude of the Legislative Assembly. It does nothing to contribute to co-operation and understanding. However, I must say that, in principle, I am proud to support the bill because, you know, in our corner of Ontario, in Cornwall, just before and during the 1950s, we had two or three high schools run by the brothers, priests or nuns. These were francophone schools for which our parents and grandparents paid separate taxes for separate schools, as well as for francophone high schools. The time came when it just cost too much and was too heavy a burden to carry.

Little by little, one by one, we lost all our secondary schools. We were lucky that the University of Ottawa was not too far away and that our students could always go there. However, without the appropriate high school preparation, it was fairly difficult. We have seen a great deal of progress over the last 15 years and we now have our high school. We have a branch of the University of Ottawa in Cornwall—St. Laurent College. I must say that it warms my heart to see that this bill should make French-language services available and guarantee them in the education sector, so that we may finally slightly, nay greatly, improve the lot of young francophones in Ontario and especially in my county.

As you know, francophones in eastern Ontario did not have many opportunities for economic and other reasons. We have the lowest rate of education and the highest rate of unemployment. I hope that with Bill 8, we will be able to correct this problem as much as possible.

Je voudrais saisir cette occasion pour dire que moi-même et mon parti nous appuierons le projet

de loi 8 en principe, et que le moment voulu nous aurons peut-être des amendements à proposer.

Hon. Mr. Grandmaitre: I thank the member for Cornwall (Mr. Guindon) for his support and that of his party. I believe that the time is right for the government of Ontario to recognize the need for services to the francophone population. As well as providing these services, they must be guaranteed in all the areas in which they are offered by the government of Ontario, whether it be in the area of health, social services or education. I am in full agreement with him concerning the progress made in the province of Ontario, especially regarding education. I feel the province has made progress.

Except that the progress—there is a time for state control, but it is limited. The bill very clearly intends to put an end to it and to guarantee, after a maximum of three years, that the commission will be ready to evaluate the quality and quantity of these services and even to improve these services. Thus, I can state, not only to the member for Cornwall, but to all the members of this assembly, that we are determined to offer or guarantee the services which the francophone population has always needed.

M. Guindon: Je n'ai aucune question à poser au ministre, mais je suis fier d'avoir la parole quelques instants de plus et de pouvoir dire que nous ferons de notre mieux. Les trois partis réunis, nous devrions être capables de mettre fin à un grand nombre de problèmes qui ont affecté un large secteur de notre population, la communauté francophone. Pour de nombreuses raisons, elle a connu des problèmes dans le passé. Il faut le genre de loi comme celle que nous avons ici aujourd'hui pour progresser et faire de grands pas en avant.

M. Rae: Je me lève pour indiquer notre appui à la deuxième lecture du projet de loi. Bien qu'on m'ait demandé d'être bref, je veux dire quelques mots personnellement.

Comme je l'ai déjà raconté—je crois que la dernière fois c'était lors de l'assemblée générale de l'Association des municipalités de l'Ontario—je suis né à Ottawa. Je me souviens encore quand Vanier était Eastview. Et comme je dis ça, cela me fait plaisir de voir que la séance est présidée par le membre de Carleton Est (M. Morin). Je me rappelle encore le temps où le français était une langue cachée à Ottawa. C'était la langue que les familles canadiennes françaises parlaient dans la rue et chez elles, mais ce n'était pas la langue de travail. Elle n'était pas généralement acceptée ni utilisée, même dans

l'administration fédérale ou au gouvernement fédéral.

Je dois avouer que lorsque nous avions quatre ou cinq ans, nous formions des "gangs" comme les enfants le font encore aujourd'hui. C'était souvent la langue qui décidait à quel "gang" on appartiendrait.

Si nous regardons l'histoire de cette province, nous voyons que nous avons fait du chemin. Et c'est pourquoi tous autant que nous sommes étions stupéfaits d'entendre les remarques faites dernièrement par M. Fontaine. Je n'en dirai pas plus.

La province a fait tellement de chemin que je crois qu'il est important d'y réfléchir un instant. Et je dis cela parce que j'ai moi-même critiqué les gouvernements et le peu de progrès que nous faisons. Nous avons maintenant pris conscience du fait qu'il faut laisser aux gens le droit de s'exprimer en français, non seulement chez eux mais à l'école, et d'avoir accès aux services.

A mon avis, et notre parti partage mes opinions, nous sommes allés si loin qu'il serait logique de parler non seulement d'une loi cadre, si je peux me permettre de traduire littéralement du français, mais de l'enchâssement des droits de la communauté francophone dans notre Constitution. Je veux déclarer officiellement que c'est l'avis de mon parti, et une opinion personnelle à laquelle je tiens beaucoup, qu'ayant parcouru autant de chemin au cours des 20 dernières années, il serait logique pour cette Assemblée de rechercher activement l'enchâssement des droits de la langue française dans la Constitution.

16:20

Je suis parfaitement au courant de la controverse et des difficultés que cela a créés au Manitoba. J'ai eu souvent l'occasion d'en parler non seulement avec les représentants de la communauté francophone du Manitoba, mais aussi avec les membres de mon propre parti. Je veux tout simplement suggérer que dans cette Assemblée et dans cette province l'occasion nous est donnée d'aller plus loin.

Je ne regarde pas l'adoption du projet de loi 8 comme le dernier geste. Ce n'est qu'une étape sur la route qui nous mène à la reconnaissance officielle des droits du français dans notre Constitution. Pour ma part, je ne serai pas satisfait avant d'y être arrivé. Je ne serai pas satisfait tant que les gens ne pourront pas travailler et vivre en français, que la langue ne sera pas acceptée dans la vie de tous les jours dans cette province et que cela ne sera pas considéré comme un développement normal et sain.

Je ne peux m'empêcher de remarquer la présence du ministre des Affaires civiques et culturelles (Mme Munro). Je ne peux résister à sa présence—je sais qu'elle est toute disposée à participer au débat—à dire que des contradictions demeurent.

Il y a un certain nombre de lieux publics en Ontario, que le gouvernement ontarien encourage les Québécois à visiter, où on ne peut obtenir des services en français. Aujourd'hui, on ne peut pas faire une visite guidée du Centre des Sciences de l'Ontario en français. Les enfants qui fréquentent des classes d'immersion en français à Toronto et vont avec leur classe au Centre des Sciences doivent faire la visite en anglais. C'est un phénomène dont nous devons prendre conscience.

L'autre jour un Québécois m'a demandé où étaient les toilettes. J'imagine que c'était un Québécois. Nous étions juste à côté de la porte où il y avait écrit "Men". J'ai réalisé alors que tous les écriteaux dans cet édifice sont encore en anglais.

Nous devons changer d'attitude d'esprit et songer aussi aux lieux publics et aux services publics que nous avons l'intention d'offrir dans un esprit de rapprochement et d'accueil aux Ontariens francophones et aux Canadiens francophones qui viennent dans cette province ou dans cette ville, qui est la capitale de l'Ontario.

Je considère ceci comme un début. J'ai certains amendements à proposer. J'espère beaucoup que l'on pourra saisir le comité plénier de l'Assemblée de la question pour que nous puissions discuter des amendements. Je vais énoncer en anglais, avant de me remettre à parler en français tant bien que mal, les principaux amendements que nous voulons proposer.

Premièrement, je ne suis pas convaincu qu'une période de trois ans soit nécessaire dans tous les cas. Deuxièmement, à mon avis et à celui de notre parti, ce projet de loi donne un trop grand pouvoir discrétionnaire à l'exécutif, au Cabinet, et pas suffisamment de pouvoirs aux particuliers pour questionner le pouvoir discrétionnaire du Cabinet. Si nous avons vraiment l'intention d'inscrire les droits, le but de cette loi serait de dire aux francophones de Kapuskasing: "Si vous n'êtes pas satisfaits du service, vous avez le droit d'aller devant les tribunaux et d'exiger que le gouvernement se conforme à la loi." Ce droit devrait être donné plus clairement au citoyen en tant que particulier qu'à l'exécutif.

Quand je pense à certaines décisions prises cette semaine! je me dis que je me suis toujours interrogé sur la sagesse des tribunaux lorsqu'ils

déterminaient les droits de la personne. Nous pouvons ne pas toujours être d'accord là-dessus, mais je pense qu'il est important de ne pas relâcher la pression et de maintenir le dialogue entre le particulier et l'Assemblée. Nous ne devons absolument pas recommencer à investir l'exécutif des pleins pouvoirs.

L'article 7 est rédigé pour convenir au gouvernement et non pas en fonction des droits du citoyen. Il faut le reconnaître et s'en arranger.

We are on the road to necessary change in the province. We have made significant progress over the last few years, according to the memory of those in the House. I personally remember that in both the province and throughout Canada, French was a hidden language. It was a language spoken in the streets and within the confines of the family, but it was not a language of work and this is something which we have changed.

We have changed and I must say that it was the federal government that got the ball rolling. We started with official recognition of language rights in the Charter of Rights. These rights are entrenched in the Constitution, but this is not a legal issue, it is a real issue—the fact that we have changed the political culture of Canada. We have changed the country's political culture and we now have an obligation, a chance, an opportunity to continue making changes in the political culture of the province of Ontario.

I gave some examples in English, clearly stating that, even now, there are still some examples. For instance, I remember being a parliamentary guide in Ottawa in 1966-67 and if a group wanted a tour in French, they had to ask for it and we were ready to give it. I remember, as a guide, asking the Speaker of the House, Mr. Lamoureux, why the francophones had to insist that they be given a tour in French. Why not offer a clear choice where it would be both official and acceptable to have a tour in either English or French?

And then we saw the changes that occurred with Prime Minister Trudeau. I must say that he is the one responsible for the psychological and national changes in Ottawa. They have occurred and it is a good thing. This is an issue that Mr. Trudeau defended with tremendous courage.

Yes, things changed in Ottawa, but not in Toronto. When I became an MPP, I was struck by the fact that even in the House, French was a hidden language. It was not a language used on a daily basis. This is why this change must be made. Bill 8 is a beginning, but it is only a beginning and I hope that once it has been accepted by the Legislature, we will be able to

continue discussions with the government of Quebec regarding the constitutional entrenchment of the rights in the province.

The question of official bilingualism in the province is, for me, the important thing. This is not only a symbolic issue, but a real one—that French become a commonly used language, an official language; not just a hidden language but a language of work, just as acceptable as English in Ontario.

L'hon. Mme Munro: Je suis très heureuse et bien sûr très impatiente de parler en faveur de ce projet de loi d'une importance capitale, le projet de Loi 8, la loi assurant la prestation de services en français par le gouvernement de l'Ontario. Je sens—et après tout les sentiments font bien partie de notre culture—que ce projet de loi est l'un des actes législatifs les plus importants présentés à cette assemblée et je le dis en tant qu'anglophone. Il traite de quelque chose qui a été trop longtemps négligé: l'égalité des deux peuples fondateurs de ce pays.

Personnellement, j'ai toujours été convaincue que l'égalité naît de la compréhension et que la compréhension naît de la communication. Moi aussi, comme beaucoup d'autres parents en Ontario, j'ai inscrit mon fils dans une école d'immersion française. A Hamilton, il y a tellement d'intéressés qu'il y a de longues listes d'attente et que les parents font pression pour obtenir plus de places et de subventions, non seulement pour le privilège de la langue, mais aussi pour vivre une expérience, l'aspect linguistique de la culture en français.

Mon fils Johnny apprend rapidement à parler les deux langues officielles sans une trace de l'accent sincère, mais anglophone de sa mère. Il est tellement bon que maintenant il pense aussi bien en français qu'en anglais.

Je ne saurais assez souligner l'importance du travail réalisé au sein de nos écoles d'immersion française. Je félicite le ministre de l'Éducation (M. Conway) de l'élan donné par son ministère à ce domaine. Je félicite aussi Hamilton de son appui sympathique et de son influence parlementaire—la ville de l'acier qui a une poigne d'acier.

16:30

Le projet de loi ne concerne pas nécessairement les droits des anglophones, mais les droits des Ontariens francophones aux services dans leur propre langue. Je me lève aujourd'hui non seulement pour appuyer un projet de loi qui poussera l'usage du français mais aussi pour mettre en lumière une question qui va encore plus loin, l'égalité de tous à travers cette province.

En tant que ministre des Affaires civiques et culturelles de la province, il m'incombe de promouvoir, de rehausser et de mettre en lumière le fait indéniable que l'Ontario est constitué d'une société multiculturelle et que les gens de toutes les cultures, toutes les races, toutes les langues ou tous les groupes religieux ont tous les mêmes droits et les mêmes possibilités. Ce projet de loi reconnaît et adopte ce principe.

En réponse au député de York Sud (M. Rae), laissez-moi vous dire que mon ministère travaillera rapidement pour que les services soient disponibles dans les deux langues officielles afin que chacun puisse profiter de notre merveilleuse institution, et cela vaut pour tous nos organismes comme pour le ministère en général.

Enfin, je félicite le ministre délégué aux affaires francophones d'avoir créé un projet de loi qui, de bien des manières, va plus loin même que notre Charte des droits en ce qui concerne les services en français. Je remarque que la Charte ne contient de dispositions en ce qui concerne les services en français que pour le gouvernement et ses organismes, alors que le présent projet de loi inclut aussi les organismes paragouvernementaux recevant des subventions du gouvernement. C'est un pas important et nécessaire.

Pour conclure, j'exhorte vivement tous les membres de cette Assemblée à appuyer le projet de loi et à assurer son adoption rapide.

Hon. M. Grandmaître: Je suis très heureux que cette Assemblée ait réagi et se soit rendu compte que nous devons améliorer les services et garantir les services en français à travers toute la province et dans nos organismes. Chaque ministère de ce gouvernement a reconnu le besoin de fournir de meilleurs services.

J'ai été particulièrement touché par les paroles du membre de York Sud parce que je connais son engagement, non seulement son engagement privé ou personnel mais aussi celui de son parti, pour que cette province devienne officiellement

bilingue. Je peux assurer l'honorable membre que ce n'est qu'un premier pas. Le projet de loi 8 n'est pas la fin du monde. C'est un premier pas, mais c'est un pas dans la bonne direction. Je sais qu'il proposera certains amendements.

Le membre de Cornwall (M. Guindon) m'a aussi fait savoir qu'il faudrait peut-être envisager certains amendements. Je me félicite de ces amendements parce que cela prouve que nous sommes même prêts à améliorer le projet de loi 8. Je sais que je peux compter sur la collaboration de tous les membres de cette Assemblée.

Les anecdotes relatées par le membre de York Sud sont tout à fait appropriées, non seulement il faut améliorer les pancartes dans cette province, spécialement sur les édifices provinciaux ou les ministères, mais il faut aussi prouver que nous avons mûri au cours des 10 ou 15 dernières années. Nous voulons que la population francophone participe à l'essor de notre province, particulièrement à son essor culturel et à l'enrichissement de notre culture.

Thus, I am extremely pleased to receive the support of the two opposition parties, the New Democrats and the Conservatives. I hope that on third reading, the vote on Bill 8 will be unanimous. I feel it is time, as I mentioned earlier, that the three parties, especially the government of Ontario, recognize the necessity of and the need for these services. I especially wish to thank the Minister of Citizenship and Culture (Ms. Munro).

Je connais le dévouement du ministre quand il s'agit d'affaires culturelles. Je sais que je peux compter sur son appui et j'aurai besoin de ses conseils quand, probablement, nous parlerons des nouveaux amendements au projet de loi. Je la remercie de son appui.

La motion est adoptée.

Motion agreed to.



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 33rd Parliament

Thursday, July 10, 1986

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Alphabetical lists of members of the Legislative Assembly of Ontario, members of the executive council, parliamentary assistants and members of committees also appear at the back as an appendix.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, July 10, 1986

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

House in committee of the whole.

PRESCRIPTION DRUG COST REGULATION ACT (continued)

Consideration of Bill 55, An Act to provide for the Protection of the Public in respect of the Cost of Certain Prescription Drugs.

On section 1:

Mr. McClellan: On a point of order, Mr. Chairman: Who has the carriage of this bill?

Hon. Mr. Nixon: In the absence of the minister momentarily, the parliamentary assistant to the Minister of Health, the member for Wentworth North (Mr. Ward), is more than willing to assist in the discussion of these amendments. I will immediately go and ring the fire alarm.

Miss Stephenson: I shall not suggest that, although it is discouraging to watch totally uninterested faces when one is debating an issue such as this.

Mr. McClellan: We are all interested.

Miss Stephenson: I cannot see the face of the member for Bellwoods (Mr. McClellan); I can see only over there. It is even more discouraging when there is almost no one over there to talk to.

Hon. Mr. Nixon: They must have known the member was going to speak.

Miss Stephenson: They probably did. That is probably the reason they are absent at the moment.

The issue we are attempting to address at this point—that is, the issue of interchangeability—is one that is absolutely vital to the effective and appropriate function of the bill which we completed in committee yesterday and to this bill.

Having had some slight background in this area, I understand the lack of concern at the beginning of the development of this program under policy for the amount of security which one could introduce into the concept of interchangeability. With the increasing knowledge of

the problems that are arising related to the administration of drugs and with the spate of publication which has occurred within the past year and a half, I find it almost unbelievable that the ministry would not be equally concerned about attempting to guarantee as far as possible the interchangeability of drugs.

Those who have written on this subject are agreed that although we do not have all the final answers, the one course we can pursue, beyond the chemical testing which is currently being done, is the clinical trial approach. That will at least give us some indication about whether there are characteristics of the drugs that are being prescribed as interchangeable which are sufficiently similar to allow that kind of description to be used.

Every person in this chamber is aware that there is no drug that is completely without risk. There is no pill that one can take that does not have some slight side-effect or some potentially damaging effect, depending upon the dosage, the length of time it is taken, the current health of the individual and other circumstances. Therefore, it is equally obvious that the science of pharmacotherapeutics is to balance the risks of the drugs which are available to us for the treatment of disease with the problems the patient is facing at that time to ensure that the risks are outweighed by the potential benefits.

If one does not know what the risks are of a specific medication, it is very difficult to make any type of judgement. As a result of the demands of the food and drug division of the Department of National Health and Welfare, the health protection branch, one does have a clinical trial experience with innovative drugs, which at least provides the information to those who are prescribing drugs about the potential side-effects, the potential problems and the potential difficulties. With that information, it is possible to make an informed judgement about the balancing of the risks and the benefits.

Unhappily, when it comes to interchangeability we do not have that information because we have no such clinical trials for 90 per cent of the drugs which are considered to be interchangeable by this province. There is no such information. In the light of their responsibility for the health of

patients, is it therefore unreasonable that this is one of the primary motivations of the representatives of the physicians of this province in their public statement yesterday that they will encourage their members—they will not order them, because they cannot—to write “no substitution” on all the prescriptions that are related to long-term therapy, therapy for elderly persons and certainly therapy for children?

That is a reasonable position. They cannot be sure that the substitutions which are mandated under Bill 54, and at least partially mandated under Bill 55, will be reasonable drugs to deliver to those patients. Therefore, they are saying very clearly: “You cannot afford to take that risk. The government will not provide the guarantees. Therefore, you must do your best, in your clinical judgement, to ensure that the drugs you prescribe are those whose characteristics you have some information about—information which is provided by the mechanisms which are currently available through the health protection branch of the Department of National Health and Welfare.”

I do not believe there is reluctance for any reason other than it is considered to be an increased cost to patients to have clinical trials carried out on drugs which are to be listed as interchangeable. However, I ask the members to weigh the cost of perhaps a few cents per tablet against the many thousands of dollars which it may cost to have that patient hospitalized and treated for a considerable period if he suffers a severe reaction as a result of that substitution. I am not sure that is a very sensible kind of economy at this stage of the game.

10:10 a.m.

The appropriate kind of economy to be exercised by this province is either not to mandate substitution, which I believe would be wrong at this point, or to ensure that drugs which are to be substituted, which are called interchangeable, are in fact interchangeable as a result of requiring the manufacturers to carry out the clinical trials that will provide, to the best of our capability at this point—and that is not perfect yet, believe me—an understanding that these drugs are truly interchangeable, that the degree of therapeutic effectiveness is comparable, that the degree or number or frequency of side-effects is comparable and that the degree of potentially lethal effects is comparable. That is what we mean and that is what the government has to find out.

One cannot discover this, ladies and gentlemen, my friends in this House, as a result of

biochemical tests carried out in very limited circumstances on significantly healthy human beings who do not have any kind of disease and are totally healthy. That is not the way to determine interchangeability. It certainly gives one information about some of the pharmacokinetics of the drugs to be tested and about whether the active principle of that combination is going to be relatively equal to the active principle of the drug to which it is being compared; but it tells one nothing about all the other compounds that are in those drugs and their potential effect upon the patients who are likely to be taking them.

It is not impossible for thoughtful researchers to develop the kind of protocol, which would not be excessively costly, to ensure that drugs which are to be considered for interchangeability are subjected to a clinical trial that would provide the broad spectrum of administration and the broad spectrum of result which is necessary to have at least some indication of their true interchangeability.

I really hope the members of this Legislature understand that unless they move in this direction, they are probably doing what Dr. Levy has suggested legislators and others in authority are doing at present by mandating interchangeability without the proper, appropriate and sound foundation; that is, they are probably legislating the ill health of a considerable number of patients and the death of some.

I hope they know that unless they do something about this in this legislation, they are playing Russian roulette with patients' lives. If they do not understand that, they should not be in this chamber. Therefore, I ask sincerely that the members read the information I delivered to every member of the committee, and some to every member of this House—information which has been developed in Canada by Canadian experts, even within the food and drug directorate of the health protection branch of the Department of National Health and Welfare, which is becoming known as one of the areas of real concern and expertise about the problems related to interchangeability.

The articles that have been published by Dr. Napke et al. in several journals have been published internationally on five occasions this year. This is not a problem which is limited to Ontario; it is worldwide in the developed world at present.

Surely Ontario must attempt to remain a leader in this area of health services. This is a very significant part of health services. I invite the members to read the articles which have been

submitted to them and to take heed. Right now, they have the responsibility of ensuring that we either do our very best on behalf of patients in this province, in respect of the quality of the drugs prescribed by our mandate, or play fast and loose with the lives of Ontarians.

I know it is not easy and I know it is difficult to suggest that there should be a significant change in the procedure that is followed by the Ministry of Health in ensuring that drugs are listed within the formulary. For a period of approximately 10 years, what it has done is something that was related to the growth of a program, based on a realistic principle and one that should be encouraged, given the spiralling costs of health care; but that activity has to be tempered with the judgement that has been developed as a result of the past decade of clinical examination, the development of natural history and the development of the kinds of information that have been published in medical journals and journals of pharmacology throughout North America and Europe.

Surely it is time for us to make that kind of change if we are going to legislate the mandatory substitution of drugs for senior citizens, for beneficiaries of drug benefit programs and for those who under Bill 55 will be told there is an interchangeable drug of lower price and given the opportunity to choose that drug without knowing anything about it.

If that is what we are going to legislate, I implore the members to do it on the basis of the best information available to us at present. That best information is that our current method of defining "interchangeability" is totally inadequate in that it does not provide information about the content of every single drug listed within the formulary, and because for many of the drugs, a vast majority of the generic drugs, there is no clinical trial experience for a reasonable comparison of the drugs in the formulary.

I do not believe this is an outlandish suggestion or terribly expensive suggestion. It will cost money, but surely the protection of the health of Ontarians is worth a little money to ensure that we are not legislating their ill health and perhaps their deaths. I hope the members understand this is what they are doing if they do not ensure that adequate clinical trial experience is required for every drug to be listed or designated as interchangeable in this province.

I am aware that change is anathema to bureaucrats. As a matter of fact, I am painfully aware of that. It is also anathema to a lot of

professionals. However, there is change that is necessary and this change is absolutely essential if we are going to do the job we were elected to do, which is to protect the people of this province with our health legislation.

I hope the members have seriously considered the impact of the direction that is being suggested strongly to all the physicians in Ontario. I hope they are aware that under Bill 54, when "no sub" is written on every prescription and the additional form is signed, the minister and the ministry at present are required to provide the drug that is prescribed. I hope the members are aware that the cost could be extremely significant in this province, and that if this is carried out, they will probably have destroyed the consumer effectiveness of Bill 55, which is the purpose of introducing this bill, in terms of cost at any rate.

10:20 a.m.

If they are not aware of this, let me remind the members that they have in hand articles from the *Journal of Clinical Pharmacology*, both the January and March issues of 1986; *Perspectives in Clinical Pharmacology* from 1985; the *Canadian Pharmaceutical Journal* of May 1986 with an article written by the dean of pharmacy in Manitoba, and innumerable articles that point out very clearly that the basis at present of our designation of interchangeability is woefully inadequate, terribly and abysmally void of the kind of security that is needed by those who prescribe, dispense and take drugs if we are going to carry out the types of programs we are talking about.

Interjection.

Miss Stephenson: I have no intention of filibustering this, because if the member does not understand this, he should not be here.

Mr. D. S. Cooke: We know how strongly the member for York Mills (Miss Stephenson) feels about this matter, and it was a very relevant and important issue that was raised before the committee. However, the amendment she tabled here and in the standing committee would have absolutely devastating results in terms of access to the generic drugs which are on the market at present.

Her amendment has the implications that every generic would have to be pulled out of the market right now and clinical studies would have to be carried out first. That would result in incredible increases in prices and consumers would be disadvantaged. I do not think there would be any advantage other than millions of dollars of windfall profits to brand-name manu-

facturers. I know how strongly the member feels about it, but I became convinced throughout the hearings that there were mechanisms in place that could be used to protect the consumers of this province adequately.

One aspect that perhaps should be examined is that the Ministry of Health and the Ontario Pharmacists' Association should look at a province-wide education program using the media and encouraging consumers to ask questions of their pharmacists about what is being prescribed. One of the problems is that consumers do not ask enough questions. I do not think it is appropriate to take all the generics off the market as of the day that these bills become proclaimed. That would result in millions of dollars of extra charges to individuals, who would have to pay for the higher-priced drugs and would not have access to generic drugs in the province.

Miss Stephenson: That is not the intent.

Mr. D. S. Cooke: That is what it does.

Miss Stephenson: The member keeps telling me that the amendments I am introducing, which I thought would improve the bill, address concerns that have already been met in the legislation. This amendment is effective from the date of the implementation of this bill onward. The Ontario Drug Benefit Formulary, which has already been established with generic drugs, is one which has been in use for some time. We know some of the problems there.

Surely the Drug Quality and Therapeutics Committee has enough—at present, it might not, but in the future it should have enough—understanding to know which of those may have to be tested, and there may be some which have to be tested, but we are talking about drugs which are to be introduced into the formulary from the date of implementation onward.

With respect to the current formulary, which is already printed, I have no intention of suggesting that this legislation require all those drugs to be tested. Many of them have been in use for some time. Obviously, if they have not been the subject of a lot of reports of adverse drug reactions, they are perfectly all right to keep on using. However, from the time of implementation of this act forward, there should be clinical testing of every drug which will be introduced into the formulary. That is all this amendment says and nothing more.

Mr. D. S. Cooke: I want to read this into the record so the member understands what her amendment says. She is scratching out the one section, and then clause (b) says "equivalent

therapeutic effectiveness with one or more other such products as determined by clinical trials."

It does not say that the ones which are interchangeable in the formulary now are considered to be grandfathered and are already determined as interchangeable. It says they cannot be interchangeable unless they have had clinical trials. That is what the member's amendment says. That is what it said in committee and that is what it says now. That would result in every generic drug being pulled off the market the day these bills are proclaimed.

Miss Stephenson: If the member is so convinced that this is what the amendment says, which I do not believe, then there is no reason why an additional fourth component could not be added to this definition. It would say that at the discretion of the minister—I would anticipate that in this case the minister would use the expertise of the Drug Quality and Therapeutics Committee because I believe that would be the right thing to do—drugs currently listed in the formulary might have to be subjected to clinical trials depending on the experience that has been had with them.

If there is a requirement that all new drugs to be listed have to be subjected to clinical trials, then there would be a little additional pressure on the DQTC to decide whether some of those have clinical trials. I am not suggesting, and this amendment does not suggest, that we have to do everything that is currently in the formulary. What we are saying is that from this date—I see the Deputy Minister of Health, Dr. Dyer, nodding his head up and down. Shall I add the additional fourth part of the amendment?

Hon. Mr. Elston: He was nodding off, not nodding at the member.

Miss Stephenson: No. Dr. Dyer scarcely nods off when he is in the House. There are other times he may nod off—ask Natalie; she will be happy to tell the minister—but not when he is in the House.

Mr. D. S. Cooke: It is not all the time when he is in the House, but only when he is listening to the member.

Miss Stephenson: That may be.

Mr. Leluk: Not us.

Miss Stephenson: I am certainly glad to hear that.

If an amendment is necessary to clarify this for those whose minds are muddled about the direction we are attempting to pursue, then I would be happy to draft an additional fourth part of this definition. I thought it could be introduced under the regulatory capacity of the minister as far as those existing in the formulary were

concerned. It was my understanding that in this area there could be an additional regulation that would empower the minister to grandfather those currently in the formulary, except where the DQTC has decided clinical trials are necessary.

Mr. D. S. Cooke: That is typical. The Tories want everything in regulations.

Miss Stephenson: The member was not listening to me yesterday when I was screaming bloody murder about the regulation he wanted to have, and the minister gave it to him. Do not talk to me.

May I ask whether it is possible to include that in the regulatory capacity to ensure that the concerns of the member for Windsor-Riverside (Mr. D. S. Cooke) and the concerns of the Deputy Minister of Health are met appropriately, or is it necessary to add an additional fourth item to this definition?

Hon. Mr. Elston: I rise to respond to the soothing strains of the member for York Mills, who had us all nodding at one stage or another during the presentation.

Specifically in answer to the honourable member's question, under clause 14(1)(a) there are abilities for the minister to prescribe conditions to be met by products or manufacturers in order to be designated as interchangeable; so there already is a provision under which we can put these regulations into the act.

I can also tell the member that, even now, under the operation of the DQTC there are and there have been requests, or at least there is the authority to request more tests if the committee requires and requests it or finds it necessary to ask for more information, and it has done that on occasion, to ensure that it is convinced there is an interchangeability between products.

Probably the best-known recent item brought to my attention is the one raised by the member in conjunction with other members of her caucus; that is, the question of the interchangeability of ibuprofen, which was raised before Christmas 1985 and taken off the listed section in January after the DQTC requested, but did not receive, extra information.

10:30 a.m.

The honourable member has good intentions. I spoke to her yesterday about the same items that were raised by my colleague the member for Windsor-Riverside with respect to grandfathering or so-called grandfathering the current book. I know her intention is not to eliminate the generics currently listed under the Ontario Drug Benefit Formulary. However, even though that is

not her intention, the words speak clearly. I know she would like to amend them to include the fact that those listed currently in the book would not be affected by the amendment.

However, it is incumbent on me to indicate clearly to the member and to the members of the House that I do not see it advisable to follow the amendment she is providing. I feel that under the auspices of the DQTC we specifically have the opportunities and options. If people with certain expertise deem it necessary to go through a series of extra tests that they require, they can do that already.

As well, the member would have to agree that when we compare the Ontario system with that of other provinces, we have much more comprehensive coverage on these questions than do others. I understand that some other provinces receive advice from the federal authorities on the question of interchangeability, which is not deliberated upon by anybody in the provincial jurisdiction where that advice is received and accepted.

Under current circumstances, I see our DQTC system, which is in addition to the federal quality control system, as one that has been effective and that has done very well over the course of the past several years, even though I know the member holds very strongly the opinion that this would make it better. I do not think it would.

I want to make one other point. In committee we heard a good deal about the question of these tests and clinical trials that the member is requesting, which in those days were limited in terms of comment more specifically to the generic industry. She mentioned yesterday at the beginning of her remarks that she was broadening her concern considerably about the quality of all drug therapies, whether they be initiated under the auspices of the originators or under the auspices of the generic drug manufacturers.

We agree to a great extent that we all have to be assured of the quality control items necessary for the public to receive the best care we can possibly provide. The member has brought to our attention several quotations from authorities about past experiences, a number of them from the United States. She alluded to them again yesterday when she was commenting. We do not disagree with some of the observations made in those jurisdictions. Our jurisdiction, however, is considerably different. They do not have some of the quality control mechanisms that we have.

Miss Stephenson: We do not.

Hon. Mr. Elston: We do. The Drug Quality and Therapeutics Committee does extra things in

Ontario that are not done in the United States. The member's concerns from a generic standpoint are concerns of all of us in terms of good health and the quality control of manufactured drug products, but we think we have a system that responds, first, to quality control at the federal level and, second, is backed up by expertise at the provincial level with a reasonable and rational exercise of discretion about information filed before the minister, who then makes a decision about listing. The quality control items are there. The extra tests can be required, if needed. As a result, we will not support the amendment proposed in committee of the whole House, just as we did not support it in the committee where this bill first appeared.

Miss Stephenson: It is unfortunate the minister does not understand the difference between quality control of manufacture, quality control in terms of the development of drugs, and the therapeutic effect, or beneficial or nonbeneficial effect, of drugs when administered. He knows nothing about pharmacology and absolutely nothing about practising medicine. It is unfortunate that he is willing to accept the statement about quality control and tests of bioavailability, limited as they are in this province—and we heard what they were. He cannot tell us what they were because we learned directly from the people who did them.

Hon. Mr. Elston: On a point of order, Mr. Chairman: What has happened to the soothing strains from the honourable member? They have deteriorated into a more agitated state.

The Deputy Chairman: This is not a point of order.

Miss Stephenson: It may be an opinion. If the minister thinks these are not soothing, just wait, Buster, because I will be out there leading the charge to write "no substitution" on any prescription that is written in Ontario, because he will not guarantee, as best he can, the security that is necessary. He is trying to persuade us that we should legislate the death of patients in Ontario. I refuse to accept that. That is not hyperbole; that is fact.

Hon. Mr. Elston: That is not fact.

Miss Stephenson: The minister tells us that the Drug Quality and Therapeutics committee has the capacity to order the tests. It does, but how many times has it done it?

Hon. Mr. Elston: When it has found it necessary.

Miss Stephenson: In fewer than 10 per cent of all the drugs that were introduced. To my way of

thinking, that is not quality control of the administration of interchangeability within the formulary.

Mr. Leluk: It is a big joke.

Hon. Mr. Elston: It is not a big joke.

Miss Stephenson: All the experts, even the members of the therapeutics committee are saying, "We should be doing this." Why cannot the minister understand that it is rational to do it since he does not have the same compounds in any of the drugs? Why is it not rational to require some clinical trial which will at least try to ensure that there is comparability?

Mr. G. I. Miller: Do the feds not do it?

Miss Stephenson: The feds do not do it.

Mr. G. I. Miller: Then what is their position?

Miss Stephenson: It is because they are not responsible for interchangeability. The member should ask his minister. They are responsible for ensuring the quality, the production of and the therapeutic effectiveness. They are not responsible for interchangeability. Ontario is, but apparently it is not willing to accept that responsibility.

I would be perfectly happy to begin the definition with the phrase, "except for those drugs currently listed in the formulary," and go on from there. That would provide the minister with the opportunity to exercise the expertise which is currently—

Mr. D. S. Cooke: And compromise the patient's health.

Miss Stephenson: I am not compromising the patient's health. I said that if they have been there, have been used for a time and have not provided much in the way of reports of adverse drug reactions, or there has not been a problem with them, then I would not see why the Drug Quality and Therapeutics Committee would recommend that they should have to be tried clinically again because they have already been tried clinically.

If the minister wants to have that type of exception, he should put it in right at the beginning of the definition to read, "Interchangeability, except for those drugs currently listed in the formulary, must from this day forward be subjected to these trials."

It is not a waste of money; it is a sensible and economical expenditure of money. It is the appropriate foundation for the passage of these bills. I refuse to be a party to the type of Russian roulette the minister is asking us to play.

Hon. Mr. Elston: I take exception to those remarks and to the allegation that we are being

invited here to pass legislation which endangers patients' health. Those are not remarks appropriate to the member because I have found her to be generally very sensible and I know her to be a very sensitive person; but when she makes those types of allegations, those types of remarks which are based upon legislation which is merely reflecting the current status of a program that has worked well in Ontario, I do not find that is helpful to the debate whatsoever.

I also have some very real concerns about the suggestion that we use this particular amendment to do certain things to try only generics clinically. With her information, if she is being reasonable and logical, then the amendment's application to our system would mean that we should require clinical tests of every new batch of drugs which is manufactured to be used in this province, not just the generics but every batch, whether it is the originator's second batch after it has done a clinical test on the first, or whatever. That would logically be the consistent application of this, because what the member is saying would have to be applied in that sense. I do not think that is a practical way of going about this whole exercise.

10:40 a.m.

The member says it is not a waste of money, but it would spawn duplication. Again, I have to underscore, for the benefit of the members here and the public of the province, that we do have a system where people can request, under the DQTC, extra tests to ensure there is interchangeability. The member may not agree with the decisions of those people who have collectively been deliberating over the years upon these very questions. That being the case, I cannot say I have less faith in the 15 members of the DQTC than has a single member standing and saying they are not doing their job properly. It is my understanding that they have done an excellent job over the past years. The member may disagree with that, but those people who have collectively been a part of the system for a long time—

Miss Stephenson: The minister is not listening to what I said.

Hon. Mr. Elston: The member said they had not ordered enough extra trials. She said they have done that 10 per cent of the time and she does not find it appropriate.

The member for York West (Mr. Leluk) said it is a joke. That group is not a joke.

Mr. Leluk: It is a joke.

Hon. Mr. Elston: The member for York West thinks the DQTC is a joke. Those people have very good qualifications.

Mr. Leluk: It is a joke the way they are currently doing their testing.

Hon. Mr. Elston: I do not think the member is being realistic when one analyses what they do and what they are required to do. There are some new people involved in this whole program and they have brought extremely good credentials to the tasks being put before them. We may end up having to disagree on that. I do not for a moment underestimate the strength of the feeling of the two opposition members who are putting the case. However, the system is one which we will continue to look at, review and make sure we expand their expertise and opportunities.

If extra tests are required, they can do them now. I will not prevent them from pursuing the best interests of the public in these cases, but we are not going to agree to pass this amendment because of the practical problems the member is inadvertently trying to put on the manufacturers of these drug therapies.

Miss Stephenson: It is unfortunate that the minister does not understand that when there is a change in the compound of a drug, when there is a change in the construction of a medication, testing should be done and, in most cases, testing is done—not in all, but in most cases it is done when there is a change in the structure of the compound. That is the only kind of change that is necessary to undergo clinical testing.

I suggest the deputy minister would be well disposed to remember that he has been neither a pharmacist nor has he been in practice for a heck of a long time; but that is all right, neither have I. The concern the minister is expressing is specious. It is not necessary to test with every new batch. One does quality controls on every new—

Hon. Mr. Elston: That is what this is.

Miss Stephenson: That is not what I am saying. The minister knows this is not what that means. He is nitpicking to try to justify his intransigence in this matter.

The minister is saying there is already the capability of doing it but it is not being done. He is saying that just because we have not done it for 10 years we do not need to start now. I am telling him our experience over the past 10 years should direct us to move towards doing it now. That is what we have learned as a result of the policy and the kind of practice we have been carrying out. It was a good thing to do. It was a good direction to pursue, but we have learned a great deal from it.

One of the things we have learned is that interchangeable drugs are not necessarily interchangeable and that we really need to have a

better foundation for trying to provide the security that is necessary to ensure there is safety for patients and some kind of reasonable support for the designation of interchangeability to be used by both physicians and pharmacists. That is a very reasonable point of view. However, it is not reasonable to suggest that this should not be done because we are going to have to do every batch of every drug. That is absolutely silly and it is not what the amendment says. It is not even what it suggests. Any reasonable person reading the amendment would understand that is not what it means. It means for introduction.

We also have said very strongly that whenever there was a change of compound the ministry should be notified immediately. The minister would not accept that one either because he said the drug companies would not do it.

Mr. Laughren: Stop nitpicking.

Miss Stephenson: If this is nitpicking, then the member is the kind of nit who is probably going to be dosed with a lethal dose of an interchangeable drug that is not interchangeable.

I am concerned that the minister thinks my arguments are overblown. I do not believe they are. I believe they are sensible, rational and based on the knowledge that we in this province have developed as a result of our experience with the policy that led to the development of this legislation.

If this legislation is right, if we are really going to be helpful to consumers and if we are really going to be concerned about patients, we will include this kind of additional security for patients in the formulary.

Mr. Chairman: Does the minister have any comments? Does any other honourable member wish to speak to this amendment? No.

Miss Stephenson: I am truly disappointed in the minister's lack of understanding. I really am.

Mr. Chairman: There being no further comments, we appear to be ready for the question.

Miss Stephenson: Has my friendly amendment to my amendment been accepted, that we would insert, immediately following "interchangeability," the words "except for those drugs currently listed in the formulary"?

Mr. Chairman: We do not have in front of us any amendment to an amendment; only the amendment to section 1.

Hon. Mr. Elston: We will accept that as having been provided as a friendly amendment.

Mr. Chairman: We are ready for the question on Miss Stephenson's amendment to section 1.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Interjections.

Miss Stephenson: I am standing up for this one. I am sorry.

11:10 a.m.

The committee divided on Miss Stephenson's amendment to section 1 of the act, which was negatived on the following vote:

Ayes 32; nays 51.

Interjections.

Mr. Chairman: Order. As the members leave the chamber, will they please do so quietly, as we carry on with the committee of the whole House.

The next section to be amended is section 4.

Interjections.

Mr. Chairman: Order. Members cannot even hear.

Shall sections 1 to 3, inclusive, stand as part of the bill?

Miss Stephenson: No. We are not agreed.

Mr. Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Sections 1 to 3, inclusive, agreed to.

On section 4:

Mr. Chairman: Mr. Leluk moves that subsection 4(1) of Bill 55 be amended by adding at the end "provided that the person for whom the product is prescribed or the person presenting the prescription shall be informed before the prescription is dispensed and consents to the change."

Mr. Leluk: The reason for putting forward this amendment is that consumers in this province have the right to know what they are getting in the way of prescription drugs and to consent to any change the pharmacist may make in the substitution of interchangeable products. Yesterday, when I spoke on consumers' rights under subsection 4(1) of Bill 54, I read into the record a letter that was received by the Minister of Health (Mr. Elston) on June 17 from the Epilepsy Association, Metro Toronto. I would now like to read into the record the same letter addressed to the Minister of Health from Kate Mather, president of the board of directors of the Epilepsy Association, Metro Toronto.

"Dear Mr. Elston:

"Our association, at its most recent board of directors' meeting, examined the proposed new legislation, Bills 54 and 55, and wishes to make the following comments on behalf of our board, our members and our clients and in our capacity as a social service agency. We find the provisions of section 4 of Bill 55 unconscionable inasmuch as it appears to allow the dispensing of a substitute drug to the person presenting a prescription without informing him of the substitution. We believe that it is essential to inform the person presenting a prescription of the substitution."

They take further exception to provisions under section 8 of Bill 55 where they say "which appears to provide immunity from legal recourse to the person dispensing the substitute drug where the person substituted a drug without informing the purchaser of a substitution and where harm results to the purchaser which may be accredited to the substitution."

They say, "Clearly, sections 4, 4a and 8 of Bill 55 abrogate the right of the purchaser to (a) what drug is being administered to him and (b) to take legal action against those administering a drug to him where harm results to him."

I feel very strongly about this amendment because I believe consumers in this province have certain rights. One of those rights is to know what they are getting and to consent to any change in a prescription drug. I have a case here in point; it is an affidavit. I have a whole pile of affidavits sworn by citizens of this province. To save time, I am going to read into the record one particular affidavit that deals with the case I am making for this amendment. I am not going to mention the name.

"I..., a senior citizen of the city of Mississauga in the province of Ontario, make oath and say as follows:

"1. I am a senior citizen. I have been taking Inderal six times a day for approximately two years. I am very pleased with this medication. Although I do not now recall the name of the company that makes this product, I am sure that I did know the name at one point.

"2. I am very aware of the colour, shape and size of the Inderal pills that I take. The pills are a very light orange colour; they are quite small and round. I rely on the appearance of these pills to be able to identify them as being Inderal. Up until a few weeks ago, I could have said that I had never seen, to the best of my recollection, a pill which had the same appearance.

11:20 a.m.

"3. A few weeks ago, I went to the druggist to have my prescription for Inderal repeated. The druggist gave me what I thought and assumed was Inderal, which I took home with me. The druggist did not tell me what he gave me was not Inderal.

"4. Later, after I got home, I happened to notice the label on the container which the druggist gave me. It did not say Inderal; it had some other name on it which I did not recognize. I do not always read the labels of my medication, but I happened to notice it on this occasion. I immediately called the druggist to see if some mistake had been made in giving me the wrong medication. The druggist informed me that he had given me a different brand, but that it was the same medication.

"5. When I opened the container the druggist had given me, I noticed that the pills appeared to be the Inderal pills that I had been used to taking: they were very small, round pills and had the same light-orange colouring. If I had not happened to see the label and talk to the druggist, I know that I would have assumed, because of their colour, shape, size and appearance, that the pills the druggist had given me were Inderal.

"6. I began taking the different brand of medicine that the druggist had given to me and I noticed, after the first day of taking this brand, that I began getting headaches and feeling slightly dizzy at times. I continued taking the medicine for two or three days, but the headaches and dizziness persisted. I finally talked to the pharmacist, who called my doctor, and she told the pharmacist to take me off this brand and put me back on Inderal. My headaches and dizziness stopped soon after I started the Inderal product again.

"7. I consider myself lucky that I happened to notice the label for the medication that the druggist gave me. If I had not noticed it, which could have easily been the case, I would never have known that my medication had been changed. Because the appearance of the different brand of pills is the same, I would have simply assumed that the pills were the same Inderal that I have been taking for two years.

"8. A few years ago, when my druggist had switched me from Valium, which I had been taking for several years, to a different brand of the same medication, the new brand was a different colour. This served as a good indication to me that I was getting a different product. I have been taking this new brand ever since.

"9. It is very upsetting to me to think that a company can copy the exact same colour, size

and shape of pills for the same medication. This means that if the druggist does not tell me that a switch is being made in my medicine, I may never learn that I am getting a different brand. It is important to me to know what brand I am getting, and with pills, the easiest way for me to identify them is by their appearance."

This makes a very strong case for people who frequent pharmacies to get prescription drugs to be told if a substitution of an interchangeable product is being made. They should know what they are getting, in advance of the prescription being filled, and consent to the change.

As I said, I will not read all these affidavits because it would take me some four hours to get them on the record.

On June 23 in this House, in the minister's absence, I asked a question of the Premier (Mr. Peterson) relating to consumer rights in this province. Basically, I asked whether the Premier agreed "that consumers should be told in advance by a pharmacist whenever a prescribed drug is being substituted for with an interchangeable product and that consumers have the right to know and choose what they are getting." I asked the Premier whether he would guarantee consumer rights in the final legislation.

The Premier's answer was that we had had a full discussion in this House on the matter and, he said, "I gather the discussion will continue and the member will have a perfect opportunity to put forward all his very thoughtful views at that time."

I am doing so now for the minister's benefit and for the benefit of the government. However, the Premier also stated that his government was fighting all the time for "the consumers, the people of the province, and we are glad to have this member join us"—the government.

I saw how the government supported consumer rights with respect to subsection 4(1) of Bill 54 on the right of consumers to pay the difference in price between a list product and the product that was prescribed. Yesterday in this House, his party, along with support from his partners there, voted it down. Similarly, when I introduced that very amendment in clause-by-clause discussion before the standing committee on social development, it was voted down. So much for consumer rights under this government. It is the same for consumer protection because there is no interest.

My colleague the member for York Mills just made a very strong case for consumer protection in this province. I have to say to the minister there is no consumer protection under his government. There is no interest in protecting the consumers

of this province from inferior medication and drugs, and we should all be very concerned about that. Maybe we will be concerned a year or two down the road when we start to see what happens with the health care delivery system in this province because of this government.

Hon. Mr. Elston: I think we saw the wind-down of the remarks. I compliment the member on his consistency. He consistently misrepresents the position of our party, which is in favour of maintaining consistent vigilance for consumer rights and for opportunities to protect the public good. I can tell honourable members, as I did yesterday, that we will not be supporting this amendment.

I can tell members of the House that if they read the current subsection 4(1)—

Mr. Chairman: Perhaps you would like to rephrase that sentence.

Hon. Mr. Elston: I will withdraw the remark that offends. I apologize for that. I did not intend it to come out in that vein. I apologize to the House.

The honourable member misunderstands the position of our party and represents that understanding under that illusion. I think that clarifies the nature of the remarks made by that member when he tried to put the position of our party in this matter.

Subsection 4(1) of Bill 54 will authorize situations where the pharmacist can accept payment outside the plan if there is consent on the part of the authorized recipient. The member knows we spent considerable time in committee dealing with this item under subsection 4(1) and we built in that protection. I explained it to him then. He did not understand it, nor did he accept it. I do not expect him to change his opinion or his mind on that. That is the way it is and that is the way it will continue to be. I will not go on further other than to say that we will not be supporting this amendment.

Mr. Chairman: All those in favour of Mr. Leluk's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Miss Stephenson: The government really could not care less about it. This statement that it is concerned about consumers is just an absolute sham.

Hon. Mr. Nixon: The member is talking for the Ontario Medical Association as usual.

Miss Stephenson: No. I am not.

Mr. Chairman: Order. The member for York Mills and the Treasurer (Mr. Nixon) will please discontinue.

11:30 a.m.

Miss Stephenson: I do not talk for the OMA. I do not know who the Treasurer talks for.

Mr. Chairman: Order.

Sections 4 to 6, inclusive, agreed to.

On section 7:

Mr. Chairman: Mr. Elston moves that subsection 7(1) of the bill be struck out and the following substituted therefor:

"(1) In this section, 'best available price,' in respect of a particular manufacturer's drug product in a particular dosage form and strength for which a prescription is dispensed, means the lowest price, calculated per gram, millilitre, capsule, tablet or other appropriate unit for which that product in that dosage form and strength can be purchased in Canada for wholesale or retail sale in Ontario,

"(a) as determined by the minister from such sampling as the minister considers appropriate; or

"(b) as estimated by the minister, if the minister considers the information reasonably available to the minister is insufficient for the purpose of ascertaining the best available price,

"which price shall be prescribed by the regulations and, in calculating that price, the Lieutenant Governor in Council shall deduct the value of any price reduction granted by the manufacturer or wholesaler or their representatives in the form of rebates, discounts, refunds, free goods or any other benefits of a like nature."

Hon. Mr. Elston: This is a companion amendment to that introduced and passed yesterday in Bill 54. It is to the same effect and adds a couple of items, such as tablet and appropriate unit size, but also gives the authority for sampling that is appropriate to ascertain best available price and allows the minister to estimate the price if the information available is insufficient to come to a categorical and conclusive decision with respect to best available price.

Mr. Leluk: I have an amendment to move to the minister's amendment.

Mr. Chairman: Does the member for York Mills wish to speak on this before the amendment is put? Does she wish to speak before the member for York West puts his amendment to the amendment?

Miss Stephenson: Yes, because I would like to remind the honourable members of the third

party that they argued long and hard and worked diligently for the section of the bill that is currently present. It does need to be amended by adding "tablet"—there is no doubt about that—but yesterday, to provide for whatever kind of subterranean agreement there is in this House, the members of the NDP turned their backs on the concern they previously had for establishing best available price and provided for the minister total licence in terms of developing the price that is to be used in this area of price setting for the purposes of reimbursement of pharmacists.

It is necessary to make it parallel in this piece of legislation. The minister is overstepping the bounds established in committee by careful examination and diligent work by the member for Windsor-Riverside in the development of this section in the act. I would like everyone to know that the NDP has turned its back on that activity and now is voting in a different direction.

Hon. Mr. Elston: Although I cannot address the specific allegation of the member with respect to the NDP, I can say to the members of this committee that we have accepted the will of the majority of the committee when they amended the legislation to provide for best available price. As I said yesterday when addressing the issue of amending Bill 54, in my opinion this will make the system more workable. We may disagree on that, but we on this side accept the will of the majority of the elected members of this House, and we are going to make best available price work as best we can. This will help make the best-available-price system work.

I can tell the honourable member that, although she may be back to back with the third party at the moment, this situation will enhance the operation of this program rather than detract from it. I have to indicate to the House that the member and I have mild patches of disagreement when we discuss options and opportunities in summing up this legislation.

Mr. Sheppard: I would like to make a few comments on the bill. I see that both the minister and the deputy minister are here this morning. I received a letter from one of my pharmacists who is very concerned about Bills 54 and 55. With your permission, Mr. Chairman, I would like to read it into the record. It says:

"As our voice in parliament, I am begging you to speak out against the passage of Bill 54 and Bill 55. As you are aware, these bills were ill conceived and poorly constructed when introduced last September"—

Mr. Chairman: Order. I believe that is a little off topic on Bill 55, which is what we have in front of us.

Mr. Leluk moves that Bill 55, subsection 7(1), be amended by adding after the word "Canada" in line 8 the following, "from a wholesaler or director as the regulations prescribe," and striking out "for wholesale or" from line 8.

Mr. Leluk: The intent of this amendment is to preserve the present indirect and direct listing of drug products so that all pharmacies can continue to utilize the necessary services provided by drug wholesalers. We believe the ministry shares the pharmacists' views that the wholesaling function is necessary and vital to the drug distribution system in this province.

Without our proposed amendment, it has been drawn to our attention and to the government's attention by the drug wholesalers that the present wording could render the entire wholesale function noncompetitive. As I stated yesterday when a similar amendment was introduced to Bill 54, in the short run this might mean some marginal savings on some drugs, but in the long run we believe it will mean the demise of the community pharmacy as a viable entity.

We took the maintenance of the indirect and direct distinction for granted and therefore did not mention it in previous submissions. This is a very important amendment.

11:40 a.m.

Hon. Mr. Elston: As I did yesterday, I rise to indicate that this amendment is not acceptable to us. As I said to the members who were here yesterday, the style of wording would enshrine the problem of price spreading in the system. We have all set our minds to dealing with that issue. As a result, our party will not support this amendment to the amendment.

The Deputy Chairman: All those in favour of Mr. Leluk's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Leluk moves that clause 7(1)(a) of Bill 55 be amended by adding the word "reasonably" after the word "minister" in line 2, and that clause 7(1)(b) be amended by adding the word "reasonably" before the word "estimated" in line 1 and striking out "reasonably" before the word "available" in line 3.

Mr. Leluk: I believe this amendment reflects more accurately the section.

Hon. Mr. Elston: Again, this amendment parallels those that were put yesterday to a similar section, and my comments remain parallel in nature. We will not support this amendment to the amendment.

The Deputy Chairman: All those in favour of Mr. Leluk's amendment to the amendment to subsection 7(1) will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: All those in favour of Mr. Elston's amendment to subsection 7(1) will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The Deputy Chairman: Mr. Leluk moves that subsection 7(2)(a) of Bill 55 be amended by adding after the words "interchangeable product" in line 1, the following, "and the product is a listed drug product as defined in the Ontario Drug Benefit Act, 1986."

Mr. Leluk: The proposed government amendment to subsection 7(2) is not acceptable or desirable because it excludes single-source products from the best-available-price requirement to the detriment of the public; there will be neither uniformity of prices nor lists of prices for single-source drugs. Moreover, while we believe it is not intended, the result of deleting clause 7(2)(a) is to preclude pharmacists from charging anything for the drug component where noninterchangeable products are involved.

Hon. Mr. Elston: This is the amendment that was suggested to us through the correspondence of the college, I believe, and deals with the items listed in the Ontario Drug Benefit Act. Coming to grips with the correspondence that has come in, we are not unhappy with this proposed amendment.

Motion agreed to.

Hon. Mr. Elston: The original suggestion in the list of amendments I provided was that I would move the deletion of clause 7(2)(a), but I will not be moving that amendment.

The Deputy Chairman: Mr. Leluk moves that subsection 7(3) of Bill 55 be struck out and replaced with the following:

"No person shall charge more for supplying an interchangeable product and a drug product specified in subsection 7(2)(a) above pursuant to a prescription than the sum of,

"(a) the base price determined under subsection (2);

"(b) the percentage of that price, not less than 10 per cent and not greater than 20 per cent, that is prescribed by the regulations; and

"(c) that person's usual and customary dispensing fee."

Mr. Leluk: This amendment makes it clear that specific amounts are not required in the regulations. Alternatively, we suggest the words "prescribed in the regulations" be changed to "permitted by the regulations." This is to make it clear that specific dollar figures need not be mentioned in the regulations.

Hon. Mr. Elston: I am trying to analyse the difference between the current subsection 3 and the member's subsection 3. I am not certain he is accomplishing what is needed to be accomplished by providing an amendment.

I acknowledge that we had understood there would be a need to provide in the regulations circumstances in which a greater amount might be provided, but we felt that regulation could be used to provide for that coverage. I do notice there is a difference in description of the change from a drug product to an interchangeable product, which is not defined.

I am a little confused by what the member is trying to accomplish, but I think he may be providing us with a little flexibility. Again, there does not appear to be any need for the changes in those terms. It may be that if he had not accomplished his amendment to the previous subsection, it would be required. At this stage, I do not think we need his amendment to subsection 3, particularly when we are moving that greater amounts may be set out under regulations in our amendment.

Mr. Leluk: I repeat what I stated earlier. The amendment makes it clear that specific amounts are not required in the regulations. Alternatively, this is to make it clear that specific dollar figures need not be mentioned in the regulations.

The Deputy Chairman: All those in favour of Mr. Leluk's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negated.

11:50 a.m.

The Deputy Chairman: Mr. Elston moves that clause 7(3)(c) of the bill be amended by adding at the end thereof, "unless a greater amount is provided for in the regulations."

Hon. Mr. Elston: This is in recognition of the fact that there may be circumstances in which a

greater amount may be required to be paid. We require some flexibility in this legislation, and we are prepared under regulation, in consultation with the college, to develop those circumstances in which a greater amount might be appropriate.

Motion agreed to.

Mr. McClellan: On a point of order, Mr. Chairman: In the interest of time, can we agree to dispense with repetition of amendments as a matter of course unless somebody requests that the amendments be repeated?

The Deputy Chairman: Is it agreed that the chair dispense with the reading of amendments?

Agreed to.

The Deputy Chairman: Mr. Leluk moves that Bill 55, section 7, be amended by adding a new subsection as follows:

"(4) Notwithstanding clause 7(3)(c), a fee other than the usual and customary fee may be charged in those circumstances set out in the regulations."

Hon. Mr. Elston: On a point of order, Mr. Chairman: We just amended clause 7(3)(c) to provide for the very same thing. I presume the honourable member will be content if we leave clause 7(3)(c) with that amendment rather than proposing another section and will withdraw his proposed amendment.

Mr. Leluk: I will withdraw the amendment.

Section 7, as amended, agreed to.

On section 8:

Miss Stephenson: I do not have an amendment to propose, but I want to comment that the members of this House should be aware that as a result of section 8, the consumer of drug products in this province who has been subjected to substitution and has a problem therewith is going to be left entirely on his or her own to pursue whatever course of action the courts may deem necessary. This section absolves everybody of any type of responsibility for the potentially irresponsible act that may have been perpetrated as a result of Bill 54 or Bill 55.

Hon. Mr. Elston: This is a reflection of the current practice under section 155. The member knows that, I know that, everybody knows that. Under section 155, if the member wants to deal with that, it is there and was requested by the association. It is part of the current system, and we are perpetuating that system in this legislation. I thought the member would want to acknowledge that. My concern is that we continue that. If she wishes to vote against that section, that is her privilege and appropriate

action if she so desires. We think it is an important part of this legislation.

Miss Stephenson: I simply commented upon the fact that in the past, with the policy that was established for the purposes of attempting to ensure there was a good direction to be pursued, I can understand it was necessary to function in that way. In this legislated, mandated situation required by the government, there is no increased protection for the consumer. If the minister and the government were really concerned about consumer protection, they would have done something in this section to ensure that at least the minister would take some liability for it since he is the one who is mandating the whole thing. It is an increased risk for the consumer.

Hon. Mr. Elston: Again, the member is not familiar with the current situation. I advise her to review the pharmacy section, subsection 155(4), of the Health Disciplines Act, take a look at what that provides and be aware of the fact that there is a continuation of the current circumstances. I am sure the member would be happy to agree that the regime is being continued in those circumstances in this new legislation and to acknowledge that it is necessary.

Miss Stephenson: There is a very significant change which the minister does not seem to realize. He is bringing in legislation that makes it law that what was policy in the past will be mandatory in a great number of circumstances. That is a change of situation. I guess if one is a lawyer, one is able to talk around the subject to convince oneself that there is no change at all. There is a very significant change, but the minister is not changing the whole aspect of liability, which I would have thought he would have considered seriously.

The Deputy Chairman: Shall section 8 carry? All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 8 agreed to.

Sections 9 to 13, inclusive, agreed to.

On section 14:

The Deputy Chairman: I believe the member for York West has an amendment to section 14.

Mr. Leluk: I am going to withdraw my amendment to subsection 14(1), because it provides for the regulation-making authority for subsection 7(1), which was defeated earlier.

The Deputy Chairman: You are withdrawing your amendment to subsection 14(1)?

Mr. Leluk: I am withdrawing the amendment that would have added a new clause (e).

The Deputy Chairman: Mr. Leluk moves that clause 14(1)(d) of Bill 55 be struck out and that clause 14(1)(e) be renumbered clause 14(1)(d).

12 noon

Hon. Mr. Elston: We do not have a clause (d) at the moment.

The Deputy Chairman: Clause 14(1)(d).

Hon. Mr. Elston: That is correct. We go to clause (c) in the present bill. In the present bill, we do not have a clause (d). There is no clause (d) under subsection 14(1). It would seem that we do not need that amendment at the moment.

Mr. Leluk: It should be clause 14(2)(d).

The Deputy Chairman: Would you read the amendment again?

Hon. Mr. Elston: If there is no amendment to subsection 14(1), perhaps I can move my amendment.

The Deputy Chairman: Hon. Mr. Elston moves that subsection 14(1) of the bill be amended by adding thereto the following clause:

"(d) prescribing circumstances in which persons may charge more than their usual and customary dispensing fees.

Hon. Mr. Elston: It is necessary to have this to fall in line with what we have just accomplished under clause 7(3)(c).

Motion agreed to.

The Deputy Chairman: Mr. Leluk moves that subsection 14(2) of the bill be amended by adding a new clause (g) as follows:

"prescribing the circumstances in which a fee, different from the usual and customary fee, may be charged."

We are supposed to do clause 14(2)(d). The amendment also reads that clause 14(2)(d) be struck out and the subsection be renumbered.

Mr. Leluk: Give us a moment. I withdraw the amendment striking out clause 14(2)(d). That was not intended. I would like to read into the record the amended subsection 14(2) with the newly added clause (g) that was just read into the record.

Hon. Mr. Elston: On a point of order, Mr. Chairman: I believe the essence of that amendment would be similar to that which was moved under clause 14(1)(d) and passed by the Legislature just a few moments ago.

Miss Stephenson: The difference is that it would require—

The Deputy Chairman: Order, please. I will read the amendment again.

Mr. Leluk moves that subsection 14(2) be amended by adding a new clause (g) as follows:

“(g) prescribing the circumstances in which a fee different from the usual customary fee may be charged.”

Miss Stephenson: The object of the amendment is to ensure that although the Lieutenant Governor in Council has the capability of ensuring there can be a fee that is different, the responsibility for making the designation and the circumstances specifically rest with the Ontario College of Pharmacists in the initial phase. It is the college's responsibility to determine the areas of professional expertise which would lead to a flexibility in the area of the usual and customary dispensing fee. As a result of discussing that with the minister, the Lieutenant Governor in Council would then have the capability to vary the fee the minister has already enacted in clause 14(1)(d).

Hon. Mr. Elston: We will not be supporting this amendment. We believe there is adequate opportunity to set out those circumstances and do what is required under those conditions under subsection 14(1).

Miss Stephenson: It was specifically discussed in committee and agreed to by all parties that there were certain areas of activity which were the responsibility of the college. The designation of the professional responsibilities is certainly the college's area of expertise and concern. It was for that reason this amendment was introduced, because this is most certainly an assessment of and an evaluation of, or a determination of, the professional expertise which is required to provide a variance of the fee the minister may recommend to the Lieutenant Governor in Council. That is not a ministerial responsibility, it would appear, or a Lieutenant Governor in Council responsibility but a professional responsibility of the Ontario College of Pharmacists.

Hon. Mr. Elston: I do not think the college wishes to have this particular amendment passed either. I do not wish it. We can cover the situation which has been outlined by the honourable member. We are not going to support the amendment.

The Deputy Chairman: All those in favour of Mr. Leluk's amendment to subsection 14(2) will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

Section 14, as amended, agreed to.

Section 15 agreed to.

On section 16:

The Deputy Chairman: Mr. Leluk moves that section 16 be amended by adding at the end:

“But if no such date is proclaimed to bring this act into force before the 31st day of December, 1986, this bill shall come into force on the 31st day of December, 1986.”

12:10 p.m.

Mr. Leluk: These bills have been languishing for nine months in this Legislature, having been introduced on November 7, and the concern is that they be proclaimed as soon as possible. What we are trying to ensure with this amendment is that if they are not enforced before December 31, 1986, then the bill shall come into force on that day.

Hon. Mr. Elston: We will not be supporting this amendment, which is the same as one that was proposed for Bill 54. We intend to implement these bills and we do not see the necessity of putting a date on the legislation.

Mr. D. S. Cooke: Will the minister give the Legislature any indication of when the formulary will be ready for printing and publishing?

Hon. Mr. Elston: I am sorry, I was distracted. I think we will be putting this into effect in the fall. We hope to get the regulations put together so we can do it no later than November or December 1986. We anticipate it being operating and functioning early in 1987.

Miss Stephenson: In that case, is the minister going to make the pharmacists of this province wait until November or December for a modification of the dispensing fee and of the reimbursement which is now almost two years out of date, or is he going to distribute the formulary with the new price lists to the pharmacists on August 1, as has been suggested? It has been ready now for about six months.

Hon. Mr. Elston: The member knows that question deals with the previous piece of legislation we dealt with, but I will tell her that we are moving to share information with and are receiving information from members of the association and others to put a new formulary in place. However, when we are dealing with new legislation, we also have to make sure our regulations are in place. That requires us to ensure that the regulations are workable, which means the proclamation of this will have to be

postponed a little. However, we are looking at putting out that formulary as soon as possible.

Miss Stephenson: The minister is saying the pharmacists will have to wait until November or December for the modification of the fee and the prices.

Hon. Mr. Elston: The member is asleep again.

Miss Stephenson: No, I am not asleep. The minister just said he had to redraft all the regulations to do this. He did not answer my question.

Hon. Mr. Elston: I said "the proclamation." The member should understand that the regulations for the new bill must be in place and must be workable as well. I said clearly we are moving now to put in a new formulary.

Miss Stephenson: I asked the minister how long are the pharmacists going to have to wait for the modification of a reimbursement that has been dependent upon the distribution of the new price list. Is it going to be November or December? That is what I asked. It was not any more complicated than that. Can the minister not answer? If he cannot, then he should say so.

Hon. Mr. Elston: I do not wish to accuse the member, but I have said we are moving as quickly as we can to put the new formula into effect. We have been working with association members to do that. I am saying I do not have a specific date at this moment. We are working towards the August date.

Miss Stephenson: Is it going to be November or December?

Hon. Mr. Elston: With respect to this legislation, we are going to proclaim it as soon as we can after regulations are put into effect. We expect that to be in the fall.

Miss Stephenson: I simply asked, is it going to be August 1, is it going to be November or December, or is it going to be somewhere between? Can the minister not answer that?

An hon. member: He does not know.

Miss Stephenson: Okay.

The Deputy Chairman: Mr. Leluk has moved an amendment to section 16.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 16 agreed to.

Section 17 agreed to.

The Deputy Chairman: Shall the bill, as amended, be reported?

All those in favour will please say "aye."

All those opposed will please say "nay."

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Elston, the committee of the whole House reported one bill with certain amendments.

HEALTH DISCIPLINES AMENDMENT ACT

Hon. Mr. Elston moved second reading of Bill 109, An Act to amend the Health Disciplines Act.

Hon. Mr. Elston: My comments are very few indeed.

This bill has been long awaited by the College of Nurses of Ontario, so that it can deal with its disciplinary proceedings in a more expeditious manner. We will see an increase in the number of members sitting as members of the college, and this will help deal with the considerable backlog of cases.

We saw the introduction of a similar piece of legislation a number of years ago. Unfortunately, on account of circumstances beyond its control, the Legislative Assembly was not able to deal with the bill at an earlier date. I think we are all anxious to see this legislation pass so that we can allow the college to perform its very important public function.

Mr. Andrewes: I would like to indicate our support for this bill. The minister is correct. I believe the previous member for Kingston and the Islands, Mr. Norton, introduced this bill originally. We have indicated to the minister and to the college that we would support this piece of legislation.

Mr. D. S. Cooke: There are certain things I would like before we pass this bill. However, we are in the spirit of passing things quickly today. It has been three years or whatever and complaint hearings are now being scheduled into 1987. The college and the nursing profession will be very happy that we were able to deal with this bill before adjournment today. We will be supporting it.

Motion agreed to.

Bill ordered for third reading.

Third reading also agreed to on motion.

PUBLIC SERVICE PAY EQUITY ACT

Hon. Mr. Wrye moved second reading of Bill 105, An Act to provide Pay Equity for Employ-

ees in Predominantly Female Groups of Jobs in the Public Service.

Hon. Mr. Wrye: I am delighted this afternoon to introduce for second reading this legislation which is an act to provide pay equity for employees in the public sector. When I introduced this bill for first reading, I explained why the government had embarked on this most important undertaking. I indicated at the time that this legislation represents but the first step in a process designed to achieve full equity for women in the work force.

12:20 p.m.

As both the Attorney General (Mr. Scott) and I noted, when we jointly commenced the process to establish pay equity in Ontario this past November, the most sensible and expeditious way of proceeding was to embark on a pay equity initiative in the public sector as a matter of first priority and, simultaneously, to undertake a consultative effort regarding implementation of pay equity in the broader public sector and in the private sector.

Certain differences in respect of the characteristics of the public and private sectors strongly suggested that implementation of pay equity might most appropriately require adoption of separate and specialized approaches in the two cases. A number of important factors collectively contributed to this assessment. First, the wage gap for the economy as a whole is almost twice as large as for the public service alone, suggesting there is a much larger problem in need of resolution in the other sector.

Second, public service institutions in general have a larger and more occupationally diverse work force, with implications for the nature of the pay equity challenge and the resources available to deal with it in the public service.

Third, the widespread coverage of collective bargaining in the public service permits, indeed requires, reliance on the bargaining process for implementing pay equity. Such coverage is much less significant elsewhere. Moreover, the multiplicity of separate bargaining units in some establishments outside the public service poses a greater co-ordination problem for pay equity job comparison purposes.

Fourth, the reconciliation of market-oriented and pay equity requirements and their cost implications represents a more difficult challenge outside the public service than within it.

Finally, practical experience with pay equity programs in other jurisdictions, which can be drawn upon as a useful guide for developing an

Ontario program, primarily pertains to the public sector.

Mr. Speaker, the bill that has been put before you and before the House recognizes the needs of employees in the public service as well as the structural problems that need to be addressed in an initiative as complex as pay equity. The bill is long and detailed as it must be in order to respond fully to the many issues and concerns that have been raised in our process of consultation with the affected parties.

Before commenting on the highlights of the legislation, I want again to pay tribute to those who have been involved in the consultation process. It represents a high-water mark in the use of extensive consultation with both labour and management groups in crafting legislation that will fundamentally affect the conduct of their employment relationship.

My officials and those in other ministries met on a frequent basis with representatives of the unions and employer agencies covered by this legislation to ensure that all of the relevant issues were fully canvassed. As a result, we have a bill that is as comprehensive as possible and one which enjoys a wide degree of acceptance and support from those who are charged with its ongoing implementation.

This high measure of support has already been evident in reaction to the bill following first reading. While we have received a number of comments and useful suggestions for improvement, I am pleased to say that as a general proposition Bill 105 has been well received by both labour and management. On an issue as thorny as pay equity, this in itself is no small achievement.

The comments we have received thus far fall into two categories, the first of which deals with the question of coverage. There are a number of groups, particularly labour and women's groups, whose members wish to be included under the legislation. I can sympathize with their desires and I am grateful for the vote of confidence, in a sense, that they have given to this legislation. Nevertheless, as I indicated at the beginning of these remarks, there are sound reasons for proceeding separately in the public service on the one hand and the private and broader public sector on the other. The government intends to continue on this course. I do not consider it to be an insubstantial undertaking on the part of this government to implement pay equity for almost 80,000 employees as a first step of a multi-step process.

The second category of comment we have received relates to the several technical aspects of the bill involving suggestions designed to help the legislation more precisely achieve its intent. The comments have been useful and the government will be proposing some amendments of its own when the bill comes before committee. In general, I want to submit to the Legislature that the structure and substance of the bill have met with favourable comment and I am pleased to put this bill before the House for approval in principle.

Let me review some of the highlights of the legislation.

First, the general structure of the bill: It comprises a number of parts reflecting, in the main, the need to tailor the development and implementation of pay equity in the public service to the nature of collective bargaining relationships that are already in place.

The bill begins by establishing some general principles. Part I introduces a number of key concepts in the definition section, outlines the scope of the coverage and articulates the purpose of the legislation. The essential charging provisions identify what is required to achieve pay equity and indicate the components to be included in pay equity plans.

Part II of the bill also contains implementation principles of general application relating to such issues as exclusions from coverage, prohibition on pay reductions and the relationship of pay equity plans to collective agreements. Moreover, there is a detailed prescription of the implementation timetable that is to be achieved. In the three subsequent parts of the bill, the obligations of the employers and bargaining units are identified with regard to the development and implementation of pay equity plans.

The staging of pay equity implementation recognizes that it will be most expeditious to utilize existing bargaining relationships in the first instance in developing pay equity plans. These parts of the bill also provide for arbitration in the event that the employer and employees cannot agree on the plan.

In addition to recourse to arbitration, the bill also mandates the establishment of the Pay Equity Commission, which will have two main functions. It will monitor the development and implementation of pay equity plans by employers and unions to ensure that they conform with requirements of the act; as well, it will be empowered to receive and investigate complaints regarding the conduct of the parties during this phase.

After implementation of the pay equity plans is concluded, the commission will continue to be able to receive complaints about new compensation practices that may be introduced that have the effect of subverting pay equity. The legislation thus departs from the traditional reactive complaint-based model in favour of an obligation on the parties to introduce pay equity on a proactive basis.

Within the general framework I have described, the bill contains a number of important specific features to which I want to draw the attention of the House. First, it focuses exclusively on redressing gender-based pay discrimination. Potential beneficiaries will be those employees working in predominantly female occupations, most, but not all, of whom will be women.

As a threshold condition for the purposes of this legislation, a predominantly female group of jobs will be a group in which 60 per cent or more of the positions are occupied by women. Pay equity comparisons for these jobs will be undertaken with reference to predominantly male groups of jobs, those in which 70 per cent or more of the positions are occupied by men. The use of different ratios for the two gender predominance tests simply reflects differences in the relative proportions of men and women in the overall public service work force. I believe the figures are 42 or 43 per cent women and 57 or 58 per cent men.

To avoid the problems that arbitrary numerical cutoff points may create, the bill does provide for the designation of additional groups as either predominantly female or predominantly male by agreement between the parties, by regulation or by the employer, subject to approval by the Pay Equity Commission.

The targeting of pay equity adjustments to predominantly female groups of jobs will ensure that the benefits deriving from the new program will be directed to those who can be said to have suffered most in the past from gender-based pay discrimination. It is estimated that approximately 29,000 employees, more than 40 per cent of the total public service work force, will benefit in some measure from this new program.

The bill contemplates development of pay equity plans in a series of steps, commencing with the selection of a gender-neutral job comparison scheme and concluding with the implementation of any necessary pay adjustments following application of the job comparison scheme to the various job positions covered.

While the procedure is necessarily quite time-consuming, our determination to minimize delay is reflected in the fact that the bill establishes specific time limits for each stage in the overall process. We anticipate the entire process of developing and implementing pay equity in the Ontario public service will be completed within four years. No attempt has been made to seek to impose a particular type of job comparison or job evaluation scheme on employers or employees.

Where collective bargaining is well established, and it is in these situations, the parties directly involved are in the best possible position to select the comparison scheme most suited to the job positions under examination. The legislation we are proposing has been designed to interfere with collective bargaining only to the most minimal extent consistent with ensuring that our basic principles in developing pay equity are observed.

This legislation contains some general guidance on this question. For example, it requires that the value of the job be assessed with reference to four basic criteria; namely, the skill, effort and responsibility associated with those jobs and the conditions under which the work is performed. It spells out the test to be met in determining whether pay equity has been achieved. It will occur when the pay for the representative job level in a predominantly female group of jobs is at least equal to the pay in a comparably valued job level in a predominantly male group of jobs.

It is important for the House to note that I have used the words "comparably valued" rather than "identically valued," recognizing that situations may arise where job values are clearly comparable or substantially the same without necessarily being strictly identical.

12:30 p.m.

The government visualizes that pay equity plans will become an integral element in the collective bargains struck by employer and employee representatives negotiating in the public service. In situations where the respective language of a collective agreement and a pay equity plan covering the same group of employees appears inconsistent, the proposed pay equity statute resolves such conflict in favour of the pay equity plan itself, the terms of which will prevail over those of the collective agreement.

One other important principle is that equal value comparisons will be limited to the employer's own establishment. In most collective bargaining situations, the scope of the collective

agreement is typically confined to one establishment in a similar fashion.

The bill also establishes a minimum level for annual pay equity adjustments equivalent to not less than one per cent of overall payroll for those employees covered by the pay equity plan in question. The first pay equity adjustments are expected to be made about two years after proclamation, and they will continue until all pay inequities are eliminated. The legislation will not be retroactive prior to proclamation.

Wage reductions for any employees as a means of achieving compliance with these statutory requirements will be prohibited. As a result, where existing pay levels are not in conformity with the pay equity standards established by the proposed bill, workers in the underpaid job positions will be guaranteed an actual wage increase resulting from application of the statutory scheme.

There are a number of other details of the legislation we could review at length. I look forward to elaborating on those during the committee part of this process. While a great deal of hard work and careful consideration has gone into the drafting of this comprehensive piece of legislation, no doubt there are areas where the bill can be improved. However, I am confident the legislation before the House now will achieve our most important goal; namely, the provision of full pay equity for all women who work in the Ontario public service.

Ms. Fish: I want to say at the outset that I am delighted this bill has finally been called for second reading debate in the House. We have been waiting for some considerable time to be able to deal with this, because the second reading debate and discussion at this level precedes another terribly important and critical phase for the bill, which is its referral to committee and the opportunity for hearings and public deputations.

I am particularly concerned that the hearings to be undertaken on this bill should look at, among other things, the total scope of the legislation before us, the question of whether we should confine ourselves to what my friend across the way seemed to describe as the narrow public service.

The first question that must be asked by any member of this Legislature, and it has been asked by a number of groups that have reviewed it since the introduction of this bill on April 22, is who is to achieve some protection under this bill. Who has the right to come forward and expect to be covered by this bill with its protections, many of

which we hope to strengthen? What categories of employees will be covered?

My friend across the way trumpets with some pride the fact that a bill has been brought in that will affect a total of 76,000 employees. I reply that it is a good start, but a start is all it is. I am not at all satisfied that that is the limited place where we should start.

If we reflect a little bit on the basic understanding and definitions that have been developed, not so much in a legal sense but in the sense of practice and the key and critical decisions that have been taken over the years, we can readily see in the past eight or 10 years that an understanding of the public sector has gone far beyond the narrow focus of 80,000 employees directly employed by the Ontario government or what I might describe as its most immediate agencies.

The 76,000 employees covered by this bill will include a fairly narrow band of employees whom I think this House has already begun to identify as being properly within the public sector. Let us review them for a moment. They include employees of the ministries of the government, the Ontario Provincial Police, the Niagara Parks Commission, the Liquor Control Board of Ontario, the Liquor Licence Board of Ontario, the Ontario Housing Corp., the Toronto Area Transit Authority, the Workers' Compensation Board and so on. In other words, the target is direct employees of the provincial government and its immediate agencies.

That is not the test this Legislature applied when other aspects directly affecting the wages of those in the public sector were dealt with only a few years ago. At a time of a very different economy, at a time of very different financial pressures on the government of the day and on the province as a whole, at a time of a very different circumstance with unemployment and an exceedingly deep recession, it was felt necessary to bring in wage restraint legislation. It was a difficult and onerous move, a move that is done in only the rarest of occasions, but brought in it was. That legislation was directed to the public sector, restraining the wages and controlling and narrowing the options for employees in the public sector.

Because it interrupted some of the collective bargaining that was under way and imposed a cap, a limit and a standard, on occasion it had the potential to delay, by virtue of the conditions we faced at the time, the thrusts and the moves that would affect the position of employees one to

another, directly in equal pay for equal work and indirectly in equal pay for work of equal value.

The definition used at that time, when in its wisdom the Legislature was restraining wages, was a broad public sector that encompassed some 650,000 employees of the province, a public sector that instead of touching upon 29,000 female-dominated jobs, which is the current estimate of the case in this bill, touched upon 224,000 female jobs. That broadened scope would include the civil service and all crown agencies; for example, Ontario Hydro, the Ontario Northland Transportation Commission and so forth, the universities, the hospitals, the municipalities, the school boards and provincially funded agencies and organizations.

It is my view and the view of my party that if it is appropriate to define "public sector" in a broad way when one is restraining, at a minimum it most surely is appropriate to define "public sector" in that same broad way when one is providing fundamental and basic protection from discrimination against unequal pay for work of equal value. We hope that this issue will be touched upon, as will so many others, in the course of the formal hearings that will follow this debate and that appropriate amendments will be brought forward to deal with the bill in this regard.

I might touch upon what I viewed as bordering on a threat offered by some ministers of the crown when they answered questions dealing with the appropriateness of amendments that might touch upon broadening the scope of this legislation: to wit, the suggestion that the legislation would be substantially delayed, if not potentially abandoned entirely, should there be successful amendments to broaden the protections to be provided by this bill and to broaden the categories of employees to be protected under it.

At this point, I think it is appropriate for me to say that this is callous politics in the extreme. Dealing with legislation and amendments is something this House has done since its inception. Being able to process amendments is nothing new to us. It is nothing new to legislative counsel. It is nothing new to the staff of the Ministry of the Attorney General residing in each of the ministries across this government.

12:40 p.m.

If the rest of the bill has been properly thought out and if the conditions and grounds are carefully provided to introduce equal pay for work of equal value within the more narrow public sector, then the application of those protections and careful groundwork and criteri

to that broader public sector restrained only a few short years ago is surely not beyond the competence of the staff who would have to provide the necessary advice and afford the necessary implementation.

I hope the opportunity here as we proceed in dealing with this piece of legislation will be to deal at the outset with the first and most fundamental question of who is protected in the broad categories and afford an opportunity for us to introduce a degree of consistency to ensure that those who had been restrained only a few short years ago are those who, at the very outset and from the very first, will similarly be provided protection by this bill.

On a related question, in addition to the more immediate definition, I and my party are troubled by the question of specific exception, particularly the exception that looks to those working within a rehabilitation program. I hope that in the course of examining the details of this legislation, as we will, we will see amendments come forward that will ensure this exception is deleted and those who work within rehabilitation programs will be included within the scope.

I say that because many who work within rehabilitation programs are already suffering a degree of disability. Very often they are there as a result of perhaps mental or physical handicap in the course of rehabilitation work, in the course of learning to care for themselves and to be at some point fully reintegrated into the work force, or perhaps there are others simply seeking at every opportunity to stretch or expand their abilities to be full members of our society.

It seems to me we should be prepared, as we were in the course of establishing the rehabilitation programs in the first place, to move from here to the kind of protection that I think this act would envision when we are considering the fundamental question of whether one ought to be discriminated against by being paid unequally for work of equal value. If the principle of the bill establishes that equal pay for equal value is the direction in which this Legislature wants to proceed because it is in keeping with the fundamental tenets of fairness, justice and equity that we hold dear in our society, then I believe we must be prepared to afford the extension in all areas possible and reasonable within the scope of the intention of public sector.

Similarly, I am particularly troubled by the possibility of exception for the category of labour shortage. In the main, the labour shortage issue, with unequal pay resulting, has tended to occur within those areas that have also tended to be

male-dominated. If we are trying to introduce again that fundamental tenet of equity and fairness in the course of dealing with pay that is provided to employees in comparable areas who are undertaking work of equal value, I believe we must be very careful when we are looking at the question of exception on labour shortage. We must be prepared to pierce the veil of why that exception is there and why that shortage might be there and to give some thought to the degree to which continuing that exception might indirectly strengthen an unfortunate systemic discrimination.

One of the questions that occurs to me at the outset is whether there is a shortage that may result from a particular technical training. The question that comes to mind is the degree of opportunity, access and participation in training programs and the encouragement that might be afforded to those who would go into them. It raises questions about the structure of our educational system. None of these questions is new or unique, as we are dealing in many areas and in many ways with the very subtle forms of discrimination that we now find in the middle 1980s.

I am put in mind of the initiatives such as Open Doors and others to try to encourage, through all the study areas and training areas, a better representation of both young men and women within our society as well as those of minority groups. The reason for that is not some magic in and of itself. The reason is that training opens other doors for employment opportunities. It opens doors to look at career options and career choices.

If we are in the business of trying to encourage that, we should at the same time look at the other end and ensure that perhaps prior to the time when encouragement was made, prior to the distribution of those programs being broadly available, or for whatever reason, we do not inadvertently afford a penalization to those who were unable to proceed through some of those sorts of skills acquisition efforts that may have created a short or temporary labour shortage.

That is something that has to be examined very carefully. In the course of the examination, we should be prepared to question why there was a labour shortage and to understand whether responding to that as an exception does not simply reinforce another pattern of unequal pay for work of equal value.

It is also important to look at the question of the numerical cutoffs. That was addressed a few moments ago by the minister when he was

speaking about the minimum participation rates that are divided by gender in job categories. I understand what the minister suggested in those cutoffs, but if we are looking for pay equity through a system, and just as I am concerned about a narrow definition of the scope of the bill or of exceptions that might be built in by virtue of the particular program, I am extremely concerned about those who may find themselves on the wrong end of equity in their wages by virtue of simply being in a job category that does not meet the numerical cutoff requirement by gender.

It is my view that this again is something that can be dealt with more carefully as we proceed into clause-by-clause debate. It would be my view that we should initially remove those cutoffs and say that if it is pay equity we seek, then it must surely be pay equity across all job classifications and stand there, permitting the protection to extend to all our employees. That approach is in keeping with the fundamental approach that says if it is worth doing, it is worth doing right at the outset. I hope we can look at that side as well.

12:50 p.m.

If the necessary groundwork has been done on careful implementation—what is required to receive a complaint on unequal pay for work of equal value, to respond to an expressed concern and to be able to examine the relationship of job categories—then we can do so for all job categories. We do not need to apply another artificial barrier in the way of our employees, whom we are trying to afford a correction where the system requires a correction by virtue of decisions in the past or simply the way historical rates have extended themselves into the present.

It is also important to look at the effect the bill may have in terms of compliance and sanction. I am troubled that there appears to be very little in the way of sanction. I cannot find within the bill the clear and explicit statement that the payment of unequal wages for work of equal value is discriminatory. My initial reaction is that such a statement, found as it is in Quebec and elsewhere, forms the basis for action coming forward by those who feel themselves to be in receipt of unequal pay. It will also form the base of action that will be tied in a complementary way to sanctions that can then be applied against those who, down the road, fail to bring themselves into accordance with this bill.

I hope we will have the opportunity of examining that, perhaps the specific wording I have just made note of, and there is nothing very

original in utilizing that wording. I made mention of the fact that it is used already in Quebec. I am reminded it is also used at the federal level in the existing human rights legislation. Having had a recent opportunity to review, among other things, some questions associated with the Ontario Human Rights Code, I do not recall finding similar wording there. Since we have an opportunity to proceed in respect of Bill 105, which begins with the premise that a public sector—I argue a broader public sector—is the place to begin, it seems to me we must also attend to providing that kind of clear statement directly within Bill 105.

Let me move for a moment to the question of what happens when there is noncompliance. What happens in a circumstance where there is a finding that there has been unequal pay and a corrective measure is not taken? The current bill provides for orders to be filed with the Supreme Court in the case of noncompliance. I recognize the severity of those orders, and I recognize the authority of the Supreme Court.

My concern is that there should be a recognition that engaging in unequal pay for work of equal value is discriminatory, that it should be stated as such and that clearly there should be sanctions for those who do not comply. We should give consideration to, among other things, the possibility of fines for noncompliance on the part of employers or to some other more specific sanctions that might accompany an order to correct, particularly when there has been noncompliance. We have done that in a number of other areas. We have other legislation before this House, or at least it has been introduced, that moves in a similar fashion. As we look at this question of pay equity, we should be prepared to look at the possibility of substantially strengthening provisions for sanctions for those who do not comply.

This raises the question of observing the degree of compliance that may be undertaken by any employer covered by the bill when a finding has been made and it is clear there has been a problem with comparability in wages that have not been paid when there has been a roughly equal value of the jobs. The bill provides for what I would call an initial monitoring vehicle, a monitoring to look at getting the system to a point where it pretty well achieves pay equity as it might be understood and as it might be achieved through bargaining or stepped or phased programs.

I would say on that, as I said initially on the scope of the bill as presented, it is a good start

but that start can be broadened. I believe it should be broadened in an area of suggesting that there be an opportunity to do some monitoring within the period where pay equity has been achieved, to follow up on a regular or perhaps even random basis to review and assess what is happening down the road.

I recognize I am talking about things that are down the road, that are a few years in the future for us. However, that is the sort of thing legislation ought to be able to do. It ought to be able to take hold of an immediate problem and find the right kinds of ways of solving it in the immediate sense, but at the point where we think we have achieved pay equity in a particular case of a particular establishment with a particular employer and have in that sense solved that particular problem, we also ought to be able to look down the road and monitor the degree to which we have sustained that solution, which is perhaps the best way I can describe it.

As we look at the changes that occur, particularly within the broader public sector, the subsequent agreements that might be reached or the further job descriptions and changes to them and to classifications or the remuneration that might be given in distinction between those who are, for example, outside a collective agreement that might have made the initial correction in pay equity, we ought to be able to know they will not have the effect of reintroducing unequal pay for work of equal value.

We ought to have a mechanism—as I say, I am not sure of the frequency; I do not know whether it should be regular or random, and I would welcome some discussion on this—whereby we are able to review a bit down the road and ask, when the corrective measures have been brought in, when the system is in phase, if I can phrase it that way, how long does it seem to stay there?

1 p.m.

The reason I raise that as an area of concern and an area that, in my view, would provide for a ready extension of the monitoring function that is already contemplated in the bill, as I understand it, is that it would afford an opportunity of being able to identify those areas where there might be a change that begins to bring the pay back into an unequal circumstance or to bring a place of employment back out of phase or out of balance.

We might not be able to know about it on the day or month it occurs, but we would be able to have a sense of what is occurring not only within our own house as a narrow Ontario public service in which we might have more direct control, but also within the many smaller houses that form the

broader public service of 650,000 employees across this province. We would be able to know those changes soon enough so that circumstances that might look as if they were going in the wrong direction and were going awry could be corrected with relatively little difficulty and the adjustment could be done in a timely way.

I hope this would put us in a circumstance where, in regard to the potential of an inequality creeping back, the margin of the inequality would be narrower and there would be less dislocation than if we found ourselves in a circumstance where we had monitored to the point of initial compliance and then withdrawn the opportunity of even occasional or random monitoring to tell us what was happening across the board, only to find ourselves, as we might find ourselves, with a more difficult problem to solve down the road.

To me, this is by way of saying that a little bit of monitoring in some of these areas is not unlike a little bit of prevention to ensure that what is initially desired, intended and achieved continues to be achieved over time. That is an awful lot better than failing to include that kind of mechanism, leaving the system open to the potential of having to deal with major problems well into the future that were not known by virtue of a lack of information collected and a lack of monitoring undertaken.

Finally, I touch upon the question of the date on which the bill will come into effect. We have had some exchanges in this Legislature already on this question. Considerable interest in the issue of effective date has been expressed by those who are directly affected by the bill as it stands, as well as by those who hope to be brought under the umbrella of protection of the bill. I find interesting a bill for pay equity that puts its effective implementation date well down the road into the future. It almost does so with a suggestion that somehow the substance of the bill is less important than the substance of other pieces of legislation that are around us. The further down the road the effective date, the longer the period of time the pay inequity it proposes to correct will stand.

Given the number of pieces of legislation that have come into this House over the years that have dealt with similarly serious and compelling issues, that have looked at questions of discrimination, that perhaps have looked at issues within housing—I am put in mind of some of the rent legislation—there has been a preparedness to put effective dates on royal assent and, more important, in many cases on dates of introduc-

tion. The difference in the date selected in this case is a difference that will touch upon the period that will be covered through the inequity. Correcting a problem in a system is necessary. Moving with this bill and the steps it takes is important. Because of the importance I attach to it and because of my belief that it merits an even broader scope, I believe we should be prepared to establish the opportunity for coverage on the date the bill was introduced.

In the course of a detailed examination, it is my hope we will be able to give consideration to what, at the moment, I believe are some very substantial differences in the opportunity to provide protection and the speed with which protection and corrective measures will be provided, as they apply to the question of the effective date.

In summary, the bill is a welcome first step, but in the course of taking that step, we hope we on this side of the House can ensure that the step is lengthened a bit and that a giant step will be taken in the area of the scope to be covered, the individual categories to be dealt with, the sanctions that might be provided to those in noncompliance, the opportunity for further information and monitoring of future changes and shifts, and the immediate effectiveness of the bill, rather than the smaller step that we believe would occur if the bill were simply to move within its narrower scope and its delayed implementation.

Ms. Gigantes: As I sat here listening to the comments of the minister and the member for St. George (Ms. Fish) on Bill 105, I cast my eyes up, looking for inspiration and I saw the slogan printed above us, *animo non astutia*. My Latin is not very good. I guess that probably means it is not wise to get angry. However, I am angry.

Listening to the debate on this bill, one would think we were discussing some type of rearrangement of how we designate funeral plots in Ontario or some dry subject. This bill pretends to address one of the major social issues of our time. Part of the reason we are not hearing what I would consider inspired comments on the bill is that it does so in a very inadequate way.

The history of this legislation is well known to you, Mr. Speaker, and to other members of this assembly. It arises out of the accord the Liberals and the New Democratic Party undertook for the first session of this Legislature after the election of May 2, 1985, in which the NDP and the Liberals agreed that the first session would produce legislation to provide equal pay for work of equal value in both the public and private

sectors in Ontario. More than a year later, we have a bill which says it will provide equal pay for work of equal value for about 24,000 women in Ontario, those employed in the direct public service and in a few other agencies.

When the minister read the bill, I noted with interest that he read it wrong. As the bill is entitled, as it is printed and as it is before us, it says, "An Act to provide Pay Equity for Employees in Predominantly Female Groups of Jobs in the Public Service." He read "public sector." I do not know whether he is trying to confuse us at this stage, but I do not think anyone is confused on that point. Surely he knows the difference between the public sector as he has defined it and the public service as it really exists and as it is covered in this bill. That is, as the member for St. George has mentioned, one of the key problems that exists with this legislation.

1:10 p.m.

There are two million women who are working in the paid labour force in Ontario; about 2,135,000 were counted in April. About one quarter were part-time workers. This bill does not address part-time work; so it is a very bad model if it is supposed to be a model of anything. Of those two million women, we are proposing to deal with providing equal pay to about 24,000. In fact, about 300,000 women are probably employed in what in normal nomenclature is known as the public sector, including, for example, employees in hospitals, universities, community colleges and other institutions around the province that are heavily subsidized by the provincial government. About 224,000 of those women are in unions. If the bill before us is to be considered seriously, it ought to be dealing with providing protection for those 300,000 women.

It strikes me as painfully obvious that this bill is not worth the paper on which it is printed if it is supposed to be some kind of indication of a major social policy step forward for Ontario.

The member for St. George talked about addressing the immediate problem and then moving on to monitoring the results of this legislation and whatever further legislation may be given by the government. This is not only an immediate problem but one that has been identified for years.

For 10 years in Ontario there has been a group known as the Equal Pay Coalition. It comprises a large number of groups in the province that have fought to get government to address the issue of unequal pay for work of equal value in Ontario. After all that time, this miserable bill covering 24,000 women is all we have to show for it.

The immediate problem and the past problem will continue to be a future problem until this Legislature, in all its maleness, becomes gripped with what the Ontario public knows must be addressed. For some time, public opinion polls have been telling this government and any party that wants to read them that the public has a great sense of urgency on this matter.

For example, last September in a large survey done by Goldfarb, the public of Ontario was asked to respond to the following: "On the question of equal pay for work of equal value, do you feel the government is acting too slowly, too quickly, just about right? No opinion?" On most subjects of this kind, when the public has a sense that the government is committed to some forward motion and if it approves of that motion, it will tend to say the government is acting just about right. However, last September—this is many months ago—the public of Ontario said the government was moving too slowly. Those people were not talking about the question of 24,000 women; they were talking about equal pay for work of equal value for all women in the paid labour force in Ontario.

That survey showed that 62 per cent of women, whether they were employed in the home and probably not paid or employed in the paid work force, felt the government was moving too slowly on this issue. In fact, 45 per cent of the men surveyed were of the same mind. That was in September 1985. So far to July 1986, we have this bill which provides some protection for 24,000 women.

This morning I had the duty to attend an informal meeting of the standing committee on administration of justice. It was the third meeting of this type that members of the justice committee have held in recent days to try to determine how we will deal with this piece of legislation when it is referred to us, as we expect. It seemed clear what will be happening in the justice committee, certainly against my will, is that we will go through another round of what is called consultation on the question of equal pay.

Last year we had consultation leading up to the publication of the green paper. There was consultation by the minister; there was an interministerial task force set up and lots of consultation with the Equal Pay Coalition, labour and business groups; and, finally, there was a green paper.

When we had consultation with the public around the green paper, that went on from early this year until mid-May, and we do not even have a report out of that process yet. That consultation

was to provide, by means of the appointment of three vigorous community representatives to an equal pay panel, a hearing of public opinion on how to implement equal pay in what the government calls the private sector and what I would call most of the economy of Ontario. It is all the economy of Ontario, except those 24,000 women employed in the groups referred to in this bill.

We have not had a report out of the green paper process, not from the government-appointed and government-paid consultants who were supposed to be the ears of the Attorney General around the province on this subject. We have had a report from the shadow member of that consultation panel, Janis Sarra, who was asked by the Ontario Federation of Labour in her capacity as director for human rights to attend all panel hearings. She managed to put together a report, which is available to all members of the Legislature. If we never get the final report from the official government process, we at least have her report to work with.

Following the completion of the hearing panel, there was an announcement by the Attorney General of yet another round of studies. At that time, he had a request from his business advisory group to get funding and researchers to provide for a summer's worth of study of implementation legislation covering equal pay for work of equal value. He then acceded to a request by the union advisory group to be given the same amount of resources to do studies of its own. This has become another reason for delay in the matter of addressing a problem that the public has clearly identified as a most urgent problem.

We will now turn to further hearings in the standing committee on administration of justice. We will duplicate the green paper process in the hearings to be undertaken by the justice committee. When I realized that this predictable event was going to occur, the duplication of the green paper effort, I got the sick, sinking feeling that sometimes happens to some of us here in the Legislature that the fix is in.

However passionate the public may feel on this matter, however ready and anxious for action the public is, there is a conspiracy that goes on in here among a lot of people who may represent a lot of different interests that are not necessarily the interests the public expects them to represent. There is a conspiracy among these people that something that has been around so long as a problem can wait another little while to be addressed.

This bill does not provide for retroactivity; so the longer it is delayed in implementation the more money will be saved by the Treasury of Ontario. It is going to be very expensive, if and when we get legislation that will provide equal pay for work of equal value for all working women in Ontario, including part-time, casual, student and trainee employees. The point is the longer it gets delayed, the more money is saved and the more money women are robbed of. That is not very good English. I should look again to my little slogan up here. I should not get so angry on this subject. Forgive me.

1:20 p.m.

Every day we wait, every week we wait and every month we wait means another day, week and month, and it is going to be years. According to the minister, it will be two years before there are any payouts under this little bill. That is money that does not go to women, but it is money that belongs to women. We all know that, but there is no sense of urgency around this place to do something about it.

I am very angry with this whole process. I am made very angry. I do not feel in accord with the government on this issue at all, nor do I feel in accord with it on housing policy. When it became the government more than a year ago, it promised to address these two major items. We have had remarkably little progress, and I have a sick, sinking feeling that there is no great sense of urgency to act around here.

I cannot say I am looking forward to working on this bill, not one bit. It is not the bill I want to be working on. It is not the bill this party wants to be working on. We wanted one bill and we wanted it last year. There are lots of models to choose from. We do not have to study this for ever. Consultation can go on in committee. It does not have to go through endless rounds of interministerial committees, advisory committees and public consultations where the reports are given privately to the minister's ear.

It will get done at some time. I suppose that by 1988 we may see some women in that group of 24,000 provided some kind of legislative protection under this bill. They will actually get some money in their pockets as a result of the work we are undertaking on this issue, but it is too little, too late and too slow.

Mr. Laughren: I hope that the Minister of Labour (Mr. Wrye) was listening carefully to my colleague the member for Ottawa Centre (Ms. Gigantes) because the way in which this bill has been drafted leads one to intemperate language.

I do not have the inherent anger my colleague has, for obvious reasons, but the way this bill is drafted reflects, in my view—and these are mean words perhaps—lack of courage on the part of the Minister of Labour. Even to call or refer to a bill that deals with so few people in the public sector as dealing with pay equity in the public sector takes more nerve than most canal horses have. It really does not bring pay equity into the public sector.

The battle on pay equity is not over. We have no illusions whatsoever in this party about why the government is having so much apparent difficulty with pay equity in the private sector. If the government cannot bring in pay equity in the broad, public sector because of pressure from those in places of power, then I can imagine the heat it is getting from those people in power in the private sector. I am very pessimistic about the possibilities of any kind of decent legislation dealing with pay equity in the private sector.

I have always regarded Simone de Beauvoir as being the person who provided the foundation for what I call the ideology—others call it the theory—for demands for legislative action to improve the economic status of women. Her quote sticks in my mind. It is very short and to the point, namely, "Independence begins in the purse."

There are no illusions in this party as to why the government has brought in such a lily-livered bill that purports to deal with pay equity in the public sector. It has been seven years since we in this party introduced our first private member's bill to provide for equal pay for work of equal value. That is indeed a long time.

On many occasions we have raised the example of the difference in income between switchboard operators and parking attendants at Queen's Park. We know, and the minister pointed it out, that the public sector is not as bad as the private sector, where the differences in pay for work of equal value are truly astounding.

This bill is very cleverly designed. I can imagine the midnight oil that was burned in devising it. It gives the impression that the government listened closely to those lobbying for equal pay for work of equal value, but at the same time, there is a great deal of tokenism in it.

For example, it deals with the proactive approach to it and ties in the complaints-based approach as well. It has the Pay Equity Commission, but—and this is a big but—it has an enormous number of problems built into it. I can see where the impact of this bill will dash a lot of people's

anticipations and hopes for what would flow from it.

I know we are not in clause-by-clause debate here, but the subsection that really got to me was subsection 5(1), which defines "achievement" as "when the job rate for the representative job level"—that phrase should be in quotation marks—"in a predominantly female group of jobs is at least equal to the job rate for a job level in any predominantly male group of jobs where the work performed in the two job levels is of equal or comparable value."

I do not know who thought up that wording when there was such nice alternative wording available in the Manitoba legislation with this definition. Compare it to the one I just read.

"Pay equity means a compensation practice which is based primarily on the relative value of the work performed irrespective of the gender of employees and includes the requirement that no employer shall establish or maintain a difference between the wages paid to male and female employees employed by that employer who are performing work of equal or comparable value."

That spells it out very clearly and most succinctly and does not get into phrases such as "representative job level," which I assume means the level of most employees rather than the job level with the highest proportion of women in it.

The minister has a bill that I hope he is not particularly proud of. The timing of the bill makes it clear it is going to be a year and a half—my colleague the member for Ottawa Centre pointed that out—to two years with no retroactive aspect whatsoever to it. The exclusions in the bill are outrageous. Why would that include training positions, student positions, rehab positions and casual positions while—this is what I like—it "also excludes positions that the commission designates for the purposes of this section." I do not know why the minister has allowed that to happen. It provides an enormous opportunity for loopholes for employers.

3:30 p.m.

The enforcement aspect of the bill is a joke. As I read it, and as the member for St. George pointed out, there is nothing in it that says it is legal to pay discriminatory wages. What kind of bill is that? It is a bizarre one. If the employer does not comply, what is the enforcement mechanism? One would never guess; it is to file an order with the Supreme Court. My goodness, that is completely ludicrous.

Ontario should be leading the way in many of these social fields. There is no reason we cannot be very proud of the social legislation we have in

this province. In some cases, we need to pull the country along with us. We are a province that can handle progressive social legislation without it crippling the economy, as the minister might be wont to say.

I was reading some material from one of my favourite organizations, the Organization for Economic Co-operation and Development, the independent European-based committee. About five years ago, in a 19-nation survey of developed countries, it found that Canada paid less to its women workers, relative to men, than any other industrialized country in the world. Ontario is part of that. I hope the minister does not think we are somehow forging ahead of the rest of the world with this legislation; we are not. It is still embarrassing from time to time to be part of the social fabric in Ontario.

We know the time is long past when we should tolerate this. We can look at the Attorney General's report on Employment Equity/Affirmative Action in the Ontario Public Service, 1984-85, to find out some of the more specific details. There are some signs of progress. I am not totally pessimistic in this area, but I despair about the time it is taking to make improvements. I hope the minister does not say, "It is never enough for the New Democrats." He is nodding his head. I wish the cameras were on the minister now, instead of on me. They would show he is nodding his head, smiling and saying that is exactly what he thinks of the NDP.

This is an area where that kind of argument holds no water whatsoever. There is no reason at all to move so slowly. My colleague the member for Ottawa Centre talked about public opinion being so strongly in favour of pay equity that if the minister were completely committed to following the polls, as the previous government did, he should be moving more quickly than he is. I do not know what he is afraid of in bringing pay equity to the broader public service. It might be money, but as I tried to say earlier, Ontario has the kind of economy that can afford this kind of justice. I do not know how he can do otherwise.

We are making some progress with respect to the wage gap. For example, according to the report of the Attorney General, "The wage gap between the average salaries of male and female employees continued to narrow by a further one per cent" over the previous year. "This represents a 6.2 per cent improvement since 1974. Women now earn, on average, 77.8 per cent of what men earn, compared to 62 per cent in the province as a whole." That is the public sector versus the

private sector. Even those numbers indicate how long it is going to take before there is true equity.

It is a bit startling to read through the list of various ministries of government. I thought I would pick a couple of the ministries. There is the average salary by ministry and the women's average salary as a percentage of men's average salary in those ministries. At the very bottom of the totem pole is the Ministry of Industry and Trade, now the Ministry of Industry, Trade and Technology, 61.1 per cent. For the Ministry of Northern Affairs, it is 61.9 per cent. I am glad the Premier (Mr. Peterson) is responsible for that ministry, which now is the Ministry of Northern Development and Mines. Perhaps he will bring some clout to this problem.

These are the women's average salaries in the ministries as a percentage of men's average salaries:

Ministry of Energy, 63.4 per cent; Ministry of the Solicitor General, 66.8 per cent; Ministry of Colleges and Universities, 67.5 per cent; Ministry of Municipal Affairs and Housing, 67.7 per cent—I am glad the Minister of Housing (Mr. Curling) is here; it is a little more than two thirds—Ministry of Education, 68 per cent; Ministry of Revenue, 68.8 per cent; Management Board of Cabinet, including the Civil Service Commission, 69 per cent; Ministry of Consumer and Commercial Relations, 69.7 per cent; Ministry of Natural Resources, 70.8 per cent—considering the Ministers of Natural Resources, prior to the change of government, I am surprised it is even that high; nevertheless, 70.8 per cent is still too low—Ministry of the Attorney General, 71.3 per cent—this is the minister responsible for the status of women—Ministry of Agriculture and Food, 72 per cent.

It goes on. There is a lot of work—

Hon. Mr. Wrye: Where is the Ministry of Labour?

Mr. Laughren: The Ministry of Labour is 71.6 per cent. I assume the Minister of Labour is proud of that, as he was so anxious for me to get to it. I do not know how he can be proud that women in his ministry earn 71.6 per cent of men's average salaries.

Ms. Gigantes: How do they get an average of 77 per cent out of that?

Mr. Laughren: How do they get an average of 77 per cent? Well, there are some that are over 77 per cent, but I would want to look at those numbers myself.

I looked at the occupational categories as opposed to ministry by ministry. In the clerical category, for example, women as a percentage of

the total people in the category were 80.4 per cent. There is still an enormous amount of stereotyping going on in the government service. I looked at the service-wide average salaries by module or by occupation. The same story is repeated again and again. I will not go through the entire report, given the length of time that is available to us. However, we are not at all pleased with this bill, but I understand it is the best we are going to get out of this government.

What bothers me so much is that I believe the resistance to true pay equity in the public sector is not as great as the minister has conjured up in his mind or as is in the minds of both the Treasurer (Mr. Nixon) and the Attorney General. If I were the Attorney General and responsible for the status of women, I would be beating the Minister of Labour over the head with this bill because of what it does.

I will conclude my remarks. I hope the minister, having listened to the debate this morning, will think long and hard about the next step of including the broader public sector and of moving towards pay equity in the private sector. I would like very much to hear the minister's views on that process of when we can expect pay equity legislation for the private sector. Having seen this piece of legislation dealing with pay equity in the very narrow public sector, I am very fearful of what will happen, or not happen, with pay equity in the private sector.

1:40 p.m.

Hon. Mr. Wrye: I will wrap this up briefly by commenting on the substance of the comments from both parties. I will try not to be provocative.

The government has made a determination, and some of the reasons for that determination I have outlined in my remarks, as uninspired as they were, I say to my friend the member for Ottawa Centre. The government has made a determination to proceed first with the public service, or if one wants to call it the wider public service, and then to expand the principles and implementation of pay equity to the wider public sector and to the private sector. The Attorney General continues to proceed with the work he is doing to bring forward that legislation as soon as possible. We do not make any apologies over here for that, but we do want to get on with the job.

I reject the suggestion from both opposition parties that this legislation is meaningless. I reject that on behalf of the thousands of women whom it will affect, and I reject it on the principle that for the first time in this province a government has had the courage not only to stand

up as the party opposite does and say, "We believe in the principle," but also to come forward and put that principle in outstanding legislative form.

I consider this legislation to be the finest pay equity legislation in this country. In fact, there is only—

Mr. McClellan: This is only one and a half per cent of the principle. There is 98.5 per cent to go.

Hon. Mr. Wrye: I am talking about the principles. We make our starts and then we move forward. I should not listen to the interjections, but my friend the member for Bellwoods (Mr. McClellan) does make an important point. Indeed, I indicated in my speech today that this is only a first step. I remind the members opposite in terms of this being the principle of this legislation that we are one of only two jurisdictions in Canada, the other being Manitoba, that have a proactive pay equity scheme.

My friend the member for St. George keeps talking about the Quebec scheme and the federal scheme. As she knows full well, the fact of the matter is that they are meaningless schemes. Under the federal and Quebec schemes, very little has happened compared to what will happen in Ontario. Despite all the criticism coming from my friend the member for Bellwoods, I predict more will happen even within the narrow public service in Ontario as a result of this legislation than has happened in all the Quebec legislation in the private, public and wider public sectors; far more will happen with this legislation alone than has happened in many years in Quebec. That is a reality.

My friend the member for Nickel Belt (Mr. Laughren) has talked about this legislation and indicated we should be pulling the country along. I want to remind him, as I just pointed out to my friend, that this is proactive legislation; it is model legislation for the rest of the country in dealing with the public service. I remind the member and the House that the threshold level of 60 per cent for the female-dominated groups is the lowest in the country; it is 10 per cent lower for females than the legislation from his party and his government in Manitoba. I do not think we need to be told that we are not taking a leadership role.

Both opposition critics indicated the government was dragging its feet. They may have missed this story during the holiday weekend, but the government of Manitoba, which brought in its proactive pay equity legislation one year ago at the end of June, finally concluded

bargaining collectively a job evaluation scheme one year after the legislation was passed. It took them one year. The legislation introduced by this government contemplates taking a maximum of six months: three months of collective bargaining and, if the negotiations fail, an additional three months as we move through the arbitration process.

I am sure my friends know now—and if they do not, we will attempt to lead them through this as we come before committee—the details and difficulties in implementing the job evaluation scheme and just in coming up with how individual job categories fit into the scheme that has been chosen and the length of time that is needed. It is fair to say we have attempted to get on with the job as quickly as we can, and I might add that people in the Civil Service Commission were more than a little nervous when we said we want to have the first payouts two years after the legislation is proclaimed.

Briefly, to finalize, the critic for the official opposition talked about the wider public sector. In her definition of that sector, she talked about those who were subject to Bill 179 wage restraints and said they should be provided the protection of the bill. In doing that, it seems to me she misunderstands entirely what is in the bill. The bill contemplates a trade union situation, because it talks about collective bargaining of a job evaluation scheme, and not all those who were brought under wage restraints were in a unionized situation.

More important, I want to put on the record that this government, this party and, I am sure, the third party know what this "Let us have the wider public sector" from the official opposition is all about. The party opposite has had its conversion again on the road to Damascus. I say to my friend the member for St. George, her party was in power for 42 years; where was its bill? She was in this House for four years, from 1981 to 1985, while her party was in power. Where was her party's legislation? Let us not be too silly about it. Her party had a chance to bring in the bill. When this government took office in June 1985, the cupboard was bare. It took a while to get the bill forward; we had to start from square one, because her party had done nothing.

I say to my friend the member for St. George, who may be personally committed to this even if her party is not, we understand what this wider public sector issue is all about. Her party would be delighted if it could hook this into the legislation. It is desperate to hook it into the legislation because, quite frankly, it does not

believe in and is not prepared to support private sector legislation. It would shipwreck this legislation in a major way. The fact that my friend over there does not understand that leads me to suspect she does not understand the legislation.

Ms. Fish: Mr. Speaker, on a point of order: The honourable minister has imputed motives to me and my colleagues, and I ask him to withdraw.

Mr. McClellan: Speaking to the point of order, Mr. Speaker: There are no motives being attributed. I interpreted this as simply a factual presentation.

The Acting Speaker (Mr. Morin): Order.

Hon. Mr. Wrye: I want to say that we in this party and this government would be very concerned should there be any amendments that would effectively restrict our ability to move forward with implementation. We are dealing with the narrow public service, and we are dealing with some very unique situations here.

Mr. Laughren: Mr. Speaker, on a point of privilege: I wonder if you will rule on whether the minister has abused the privileges of the member for St. George by saying she and her party would not support pay equity in the private sector?

The Acting Speaker: That is not a point of privilege.

Hon. Mr. Wrye: It is an interesting point of view.

Ms. Fish: It is not a point of view. The minister imputed motives on the extension to the public sector, and I am sorry the Speaker will not assist with a ruling.

The Acting Speaker: Order.

1:50 p.m.

Hon. Mr. Wrye: In summation, we on this side are very proud of this legislation. We think it is model legislation for the country. As my friend the member for Nickel Belt has suggested, it establishes Ontario as the lead jurisdiction. It puts us in the forefront of reform, and that is exactly where this government is on this issue and so many others. We look forward not only to the discussions in committee but also to the day when the first payouts begin and true pay equity for the public service workers in Ontario begins to become a reality.

The Acting Speaker: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

Mr. Andrewes: On a point of order, Mr. Speaker: Before we go to the next order, I wonder whether I could ask that the bells be rung at the appropriate time since we are going directly into question period at 2 p.m. and we want all honourable members to be in attendance for that event.

Ms. E. J. Smith: The majority of the members did not know that we were sitting through lunch. We must have three party support to adjourn the House, so if the third party caucus supports it—

Hon. Mr. Nixon: If it were agreeable, we could ring the bells for a while.

Mr. Andrewes: Not a bad idea.

The Acting Speaker: The House will stand recessed until two o'clock.

The House recessed at 1:53 p.m.

2 p.m.

MEMBERS' STATEMENTS

ALLEGED CONFLICT OF INTEREST

Mr. Andrewes: Yesterday the Premier (Mr. Peterson) flippantly justified the appointment of the friend, close business associate and employee of the former Minister of Northern Development and Mines to the board of the Northern Ontario Development Corp. by stating that Roland Cloutier was both reappointed and a Tory. There are many competent Tories, and he may well be one of them, but this appointment is wrong, regardless of Mr. Cloutier's past or present political stripes.

The Premier was wrong to appoint an officer of companies owned at the time by the then Minister of Northern Development and Mines. The Premier was wrong to appoint the president of a company now negotiating a 10-year, \$20-million forest management agreement with the cabinet to the powerful Northern Ontario Development Corp. The Premier was wrong when he stated that this was simply a reappointment. Mr. Cloutier did not serve on this board during the past year, he did not serve two years ago and there is no record of his serving on the NODC as far back as 1978 and 1979.

The Premier was wrong if he made this appointment without any knowledge of these questionable circumstances and of Mr. Cloutier's close relationship to a fellow cabinet minister. In view of recent events, perhaps

"wrong" is too strong a word. Can it be that the Premier did not know about these facts? Perhaps he just forgot.

TABLING OF INFORMATION

Mr. Martel: Standing order 29 states that a "minister may take an oral question as notice to be answered orally or at a later sitting."

Mr. Speaker, I draw your attention to the fact that on May 7, 1986, I inquired into the death of one René Perron. On May 13 and June 16, I asked questions of the minister on the death of Frank Spurgeon. On June 4, I raised the matter of a Johnson Matthey worker who was badly burnt.

On June 5, I asked about John Bukliss, a worker at Imperial Oil, who was fired because he continued to harass his company over the fact that asbestos was all over. In fact, the Ministry of Labour went in and wrote some orders that the company had to clean up.

On June 24, I asked a question about Tim Peacock, a young man in Brantford, who was severely burnt. On June 26 and July 8, I asked questions of the minister regarding the serious situation at the London courthouse. Asbestos was throughout the entire work place and, despite the Ministry of Government Services having known for years that the place was full of asbestos, construction was going on.

I have raised all those matters in question period, and to this time the minister has not deigned to answer anything. I draw this to your attention, Mr. Speaker. Perhaps the rule has to be enforced so that ministers have to answer eventually.

BACK-BENCHERS' QUESTIONS

Mr. Callahan: I understand the poet laureate of the Tory party composed a poem about me. I also understand my friend the member for Simcoe Centre (Mr. Rowe) has probably found his position in opposition a harder "Rowe" to hoe. I would like to respond to his little ditty as follows:

The honourable member for Simcoe Centre
Makes light when all members' questions enter,

Since he, once in power, is now a dissenter.
The wilderness is loud with sobbing,
Where once the air was loud with Tory cheers.
We Liberals in government
Understand why he is in tears
And hope he and his party
Keep it up for 40 more years.

TABLING OF INFORMATION

Mr. McLean: I would like to add something to what was said by an earlier speaker. Over the

life of this current session of the Legislature, it has become increasingly difficult to get a response from the various ministries of this government. I have had occasion to write to many ministers at the behest of constituents in the riding of Simcoe East. I want the Premier (Mr. Peterson) to be aware that the record for response from his ministers is at best dismal. He is well aware that when one is in opposition it is no easy task to address the many issues of one's riding. While in government, especially this government, it is considerably easier, with a staff in the realm of some of those Hollywood movies with a cast of thousands.

I would like the Premier to be aware that his ministers are not only treating the members of the opposition in a cavalier manner, but they are, in essence, also treating the people of Ontario in the same manner. He should be aware that good government is more than ensuring a sugar coating for all things Liberal. To govern in a responsible manner, the ministers must attend to these responsibilities and at least give those of us in opposition for the moment the courtesy of a reply to our correspondence. I have correspondence dating back to March 6, March 24 and several letters in April that the ministers have not replied to. I want to put on the record the dismal performance of this government.

NORTHERN DEVELOPMENT

Mr. Morin-Strom: I and others in the Sault Ste. Marie area have applauded the government for the initiatives it has taken for Sault Ste. Marie earlier this week with respect to the decentralization of offices—in particular, moving some 360 jobs to Sault Ste. Marie, which is likely to bring something in the order of \$10 million in wages every year to the Sault, and also in moving ahead capital projects. At the same time, I point out to the government and to the Premier that there are examples of how this should not be done. One particular area is correctional services.

The Sault Ste. Marie jail had a \$2.6-million expansion completed earlier this year and we had the official opening by the Minister of Correctional Services (Mr. Keyes) in Sault Ste. Marie on February 7, more than five months ago, and to date we have not one inmate in that facility. The old jail continues to be crowded. That jail includes 48 cell locations and an additional 14 inmates in a dormitory. Meanwhile, we have not seen any of the jobs we have been promised for the new facility and we have not seen action on the open-custody facility that is also required in

the Sault area. I hope the Minister of Correctional Services will look into this issue for us.

APPOINTMENTS IN PUBLIC SECTOR

Mr. Rowe: I want to bring to the attention of the House the supposedly open, no-walls, no-barriers government and its new way of appointing nonpartisan people to agencies, boards and commissions. Specifically, I bring to the attention of the Solicitor General (Mr. Keyes) some appointments made to the police commissions that are an example of this new nonpatronizing operation of the present government.

These appointments include David Hill, a former president of the Ottawa West Liberal Association, to the board of police commissioners, Ottawa; Alex Mouriopoulos, a long-time Liberal and president of the Liberal riding association, to the Hamilton-Wentworth regional board of commissioners of police, and Norris Badanai, Liberal candidate in Fort William in the 1985 provincial election, to the Thunder Bay board of police commissioners.

In recognition of his part in this new, nonpartisan appointment process his government is following, I am pleased to present the first in a series of Liberal Pork Barrel of the Month awards to the Solicitor General. Congratulations.

NORTHERN DEVELOPMENT

Mr. Foulds: On Tuesday of this week, the Premier apparently discovered northern Ontario. I am quite sure he was disappointed to read in one of this morning's daily papers that Asian immigrants had discovered it 11,000 years before him. The Premier is in good company; Christopher Columbus thought he discovered it first too.

The Minister of Citizenship and Culture (Ms. Munro) still has not discovered northern Ontario. A Winnipeg anthropologist, Dr. Jack Steinbring, believes he has found the oldest human settlement in Canada near Kenora; yet the Minister of Citizenship and Culture cannot find the money to fund his research through the Ontario Heritage Foundation. He has been turned down on a number of occasions.

The Treasurer (Mr. Nixon) also seems to have a difficult time finding things. Last year the Ontario Lottery Corp., which itself is about to discover the wonders of northern Ontario, gave the Treasurer \$250 million to fund research such as that which is going unfunded in Kenora. About \$152 million of that has gone missing in the bowels of the Treasury.

The Minister of Citizenship and Culture and the Treasurer must undertake their own archaeological dig through the Treasury to find that long-lost \$250 million so they can fund such worthwhile research projects as Dr. Steinbring's and thousands more like his.

2:10 p.m.

VISITOR

Mr. Speaker: I ask all members to join me in recognizing a visitor and guest in the Speaker's gallery, Mrs. Patricia Setches, member of the Legislative Assembly of Victoria, Australia. Please welcome Mrs. Setches.

STATEMENTS BY THE MINISTRY AND RESPONSES

SURVEYING

Hon. Mr. Kerrio: Today I would like to introduce a bill to revise the Surveyors Act.

This act has been amended periodically to reflect specialization and technological advances in the surveying field, as well as to ensure high professional standards.

These revisions are a part of that tradition. The revisions incorporate four different but related specialized surveying disciplines under one statute. The four disciplines are cadastral surveying, which deals with boundary locations; photogrammetry, or obtaining information about land features through aerial photography; hydrography, the surveying of underwater features for navigation, and geodesy, the science of determining the size and shape of the earth and the interrelationship of points on its surface.

The revisions to the act divide the members of the Association of Ontario Land Surveyors into two groups. Those wishing to practise cadastral surveying will require a licence and those qualified in the other three disciplines will be entitled to certificates of registration.

This bill also establishes a number of committees designed to protect the public interest in professional land surveying.

Timely revisions undertaken since the act was passed in 1892 have helped create and maintain a strong professional surveying community here in Ontario. The revisions under consideration now are simply part of that continual updating and improving process.

Mr. Bernier: As we come to end of this session, I want to end on a complimentary note complimenting the Minister of Natural Resources for bringing forward the amendment to the Surveyors Act. It follows the long-established

tradition of the previous administration, and I compliment him for it.

INNOVATION ONTARIO CORP.

Hon. Mr. O'Neil: I am pleased to be able to report to the House that the Innovation Ontario Corp. is ready for business.

Mr. Barlow: On a point of order, Mr. Speaker: I have not received a copy of the statement. I know the member for Sarnia (Mr. Brandt) has, but I have not.

Mr. Speaker: According to the standing orders, there must be copies delivered. There is a copy. Would the minister continue.

Hon. Mr. O'Neil: I apologize for not sending that copy over sooner.

The corporation's structure has been put in place and funding of \$8 million has been allocated for this fiscal year.

The development and spread of high technology have been clearly identified as major factors in determining future levels of economic growth; yet studies by my ministry, academics and the business community have found that high risks deter venture capitalists and other lenders from funding technology-intensive firms in the early stages of development.

In addition, the size of Canada's venture capital market is relatively small. On a per capita basis, venture capital investment in this country is less than one tenth of that in the United States.

Addressing these gaps in the marketplace is the central purpose of the new corporation. This is consistent with the government's commitment to new technology as outlined in the speech from the throne and our broader objective of creating new jobs in all parts of the province.

Innovation Ontario, which was announced in the budget, complements rather than competes with the private sector. It offers financial and other assistance for projects that have commercial potential but are not yet developed enough to attract conventional investment.

The corporation has five objectives. These are:

1. The stimulation of technology-based enterprise in Ontario by providing financial, technical, managerial and marketing expertise;
2. The development of enterprises to a stage where they can attract venture capital and other investment;
3. Better commercialization of high-technology products, processes and services;
4. Increased acquisition and development of technology products by Ontario firms;

5. Improved transfer of innovation and technology through better access to technical and market information.

Innovation Ontario's programs will be introduced in two phases over the coming months. Phase 1, starting immediately, has two functions:

1. Pre-venture assistance provides financial and hands-on help to emerging high-technology investors and entrepreneurs to develop their products, processes and services in preparation for private sector venture capital funding.

2. Technical information services offers clients access to a central database for information on patents, markets and new technical developments. A \$300,000 investment fund will support the commercialization of research. This fund will be available through the commercial development officers and innovation centre programs initiated to encourage commercial activity on university campuses.

Phase 2, to begin in the fall of this year, will extend the corporation's reach and further strengthen the private sector's role.

Technology licensing and joint venture assistance will offer financial help and information on acquiring foreign technology through licences and joint ventures for manufacturing in Ontario.

Technology supplier development will fund the development of more domestic suppliers to meet public sector needs for new technology. It will also work to increase that sector's use of technology products.

The criteria for each of Innovation Ontario's programs are designed to ensure that proposals are assessed on the basis of technical merit, commercial viability and strategic significance to Ontario.

At the same time, considerable care has been taken to ensure that sufficient flexibility exists to meet the unique requirements of entrepreneurs and young companies in this vital sector. This flexibility is demonstrated through use of financial instruments best suited to the needs of specific private sector clients and, in each case, by a clear exit strategy allowing for clean divestiture of the investment as early as possible.

Just as Innovation Ontario complements the role of the private sector, strong relationships with other public sector agencies will add to the corporation's effectiveness in contributing to the government's objectives. The corporation has the same chief executive officer as the Ontario Development Corp. and access to my ministry's technical and information resources. Other ministries, universities and municipalities are closely connected through suppliers, commercial devel-

opment officers and innovation centres. Additional links exist with provincial and federal government offices abroad.

The corporation's contribution to our objectives will be closely monitored. We will assess the number of firms assisted in getting private sector investment, the achievements of licensing and joint venture projects and the number of products and services successfully brought to market. We will measure the number of suppliers assisted in developing products that meet public sector needs and clients serviced with technical, market and patent information.

My feeling as we start this major initiative is one of excitement. We can encourage more startups in the high-technology sector and, at the same time, ensure that more such enterprises survive. By doing so, we will be making a major contribution to Ontario's competitiveness. This will improve employment opportunities for all those who live in this province.

Mr. Brandt: I want to make a brief response to the Minister of Industry, Trade and Technology with respect to the two statements he made this afternoon. Interestingly enough, although the statements were separate, some elements of the statements are connected, and I would like to draw them to the minister's attention.

There are some areas of the minister's initial statement with respect to the new fund he is setting up that I find appealing. If by using the phrase "commercialization of...product" in his statement he means his ministry will be of assistance to small businessmen in particular in marketing their products, that is very much a step in the right direction. The need for assistance to small business people, particularly when they are attempting to develop new export fields in foreign markets, is a very critical and essential step that has to be taken.

However, I would like to caution the minister that when programs such as this are announced, the staff be very clearly told that the program must be simple and understandable. All too often we set up these programs with good intentions in mind, only to have the bureaucratic maze become almost overwhelming for a small, ordinary businessman.

Mr. Morin-Strom: I have a few brief comments in reaction to the announcement by the Minister of Industry, Trade and Technology on the Innovation Ontario Corp. The announcement is a good one with respect to the support it will provide to firms in the high-technology portion of our economy. However, I point out to the minister that it does not address the larger

problem industries face with regard to technology. I suggest to him that support will be required in some other areas as well to support the technology we need in Ontario.

In particular, I want to see technological support for a broader range of industry and the provision of technological knowledge open to everyone in small and medium-sized firms in other industries rather than focusing on the high-technology area. In terms of geographical distribution, there are economically depressed portions of this province that require special initiatives that include technology.

INSURANCE RATES

Hon. Mr. O'Neil: I have another statement. I wish to inform the honourable members of a new initiative being undertaken by my ministry to alleviate the shortage of product liability insurance for Ontario exports to the United States.

The members are undoubtedly aware of the serious difficulties that have arisen from the lack of and increased cost of general liability insurance. They are aware too that the government responded to this situation by establishing the Ontario Task Force on Insurance under the chairmanship of Dr. David Slater. The report of the task force was tabled in this House on May 6.

Dr. Slater's comprehensive report covered a wide range of insurance problems and underscored the difficulties experienced by many of our exporters in either obtaining or affording insurance coverage on their exports to the United States.

I will not repeat the reasons the task force found for the shortage and high cost of insurance for our exports, but I should emphasize that roughly one half of our manufacturing labour force is engaged in export-related activities and that 90 per cent of our exports are destined for the US market.

It is, therefore, of great concern to this government that some of our exporters to the US have not been able to obtain insurance coverage and are at risk of losing sales to our most important export market.

Earlier this year, I personally met with representatives of some 20 national trade associations and the insurance industry to discuss this aspect of the insurance crisis and to investigate possible solutions. I could see that the problem of product liability insurance on exports to the US could not be solved by the private insurance industry. It was clear that government involvement was necessary in meeting the needs of Ontario's exporters.

The insurance task force noted, and I quote from the report, "that there are compelling reasons to justify a stronger government role in assisting the insurance industry to meet the demand for liability insurance for exports to the United States." It therefore recommended that "the government of Ontario should give strong consideration to sponsoring an insurance industry pool."

After careful consideration of the task force findings and recommendation, after consultation with major industrial associations and after a review of the many requests for assistance that the Ministry of Financial Institutions and my ministry have received directly from individual firms, the government has decided there is no other alternative but to support the establishment of an insurance industry pool for product liability insurance for exporters to the United States.

The government of Ontario will initiate a proposal for a three-year plan with private insurers whereby a policy of up to US\$1 million will be available for Ontario exporters to the US. It will be on the basis that the Ontario government will provide substantial reinsurance to private insurers participating in the program.

The plan will be one of last resort for Ontario manufacturers and will charge market rates based on US experience. There is to be no element of subsidy.

The government will have no direct involvement with the insured since it will be acting in the capacity of a reinsurer for the primary insurers that issue the policies. The government's involvement will be restricted to three years and there will be scope for portions of its reinsurance to be taken over by the private reinsurers.

There will be restrictions on entry to the plan to guarantee that it remains an insurer of last resort and to limit government involvement. For example, brokers will have to demonstrate that they could not obtain coverage from private insurers. This initiative represents a proposal to the private insurance industry in Ontario to work with this government to resolve an extremely serious and difficult problem. The insurance industry has responded very well to our other efforts to alleviate the recent insurance crisis. I am optimistic about its support.

Over the next few weeks, we will be holding further discussions with the private insurance industry to work out the final details. I must emphasize in closing that this initiative is designed to address the lack of product liability insurance for exports and not the concerns about the cost of such coverage. As I said a few minutes

ago, there will be no element of subsidy as premiums will reflect US market rates.

Nevertheless, once the pool is established and operational, I am sure it will be of considerable assistance to Ontario exporters in that it will help them sustain and expand their exports, output and employment.

It is to be hoped that legislative changes in the US with regard to liability insurance, together with new arrangements by the insurance industry, will remove the necessity for any government support beyond the contemplated three years.

Mr. Brandt: I indicated I wanted to tie the minister's two statements together. Interestingly enough, in the \$1-million fund the minister has proposed to have set up with respect to liability insurance or the additional liability that may be required in terms of some export contracts, I find it somewhat strange that he would not extend that even a little way to include all foreign markets, not just the United States.

When we have some 90 per cent of all our exports going to one market, I would think any assistance the minister might provide to accommodate that market would also be made available to accommodate the 10 per cent, recognizing that we do not want to have too much of a dependency, even though our good friends to our south are our best customers.

I urge the minister to amend the second statement—I want Hansard to note he is nodding agreement—and perhaps take this point into account. I think the program could be extended at limited cost, since I understand it is an actuarially sound program, in that it will not cost the government any money and will come in as an over-the-top program to help companies that have difficulty in getting insurance coverage.

There are elements of positiveness in both statements. There can be some changes made that will strengthen them, and I encourage the minister to so do.

CROWN EMPLOYEES

Hon. Mr. Scott: I am pleased to table today the Ontario Law Reform Commission's Report on Political Activity, Public Comment and Disclosure by Crown Employees. The report grows out of the reference I directed to the commission last January to consider this subject. I am delighted the commission has met the July 1 deadline I imposed, while at the same time giving this very important area the thoughtful consideration it deserves.

The commission stresses throughout its report the need to balance two competing values. The first is our interest in maintaining the independent and neutral public service that we have come to count on in Ontario, one that serves the public and the government of the day regardless of political party and that owes its appointment and tenure to merit rather than political favour. The other value is the personal and public interest of crown employees to participate in democratic government and enjoy the freedom of expression guaranteed to our citizens both by our political traditions and by the Charter of Rights and Freedoms.

In general terms, the commission concludes that most crown employees can be given broader political rights without threatening traditions of independence and neutrality in the public service. The report deals first with political activity. The commission divides crown employees into two categories: senior employees with line management, administration of justice or policy roles, to whom most political activity beyond voting would be prohibited; and all others, to whom most forms of political activity would be allowed.

Persons in the restricted category could not run in a federal or provincial election unless they resigned their employment, but could run in municipal elections under defined circumstances. They could not solicit funds for, associate their position with or canvass or actively work for a federal or provincial party or candidate. The commission estimates the restricted category might include up to 3,000 crown employees.

All other employees would be given broader and more certain political rights. They could obtain a leave of absence without pay, but without loss of seniority or benefits, to run in a federal or provincial election. Otherwise, their political activities would not be restricted except by a general code of conduct intended to ensure that the public could have confidence in their neutrality in performing their official duties. For example, the code would prohibit an employee engaging in political activity from endeavouring to take improper advantage of his or her position or from engaging in conduct giving rise to a reasonable apprehension of bias.

The commission also emphasizes that no crown employee should be compelled to take part in a political undertaking or support a particular political party.

The commission goes on to clarify and expand the right of crown employees to make critical comments about the government and govern-

ment policies. Once again, the restricted class of crown employees would have a more limited right of critical comment, since they may be closely implicated in the formulation of government policy. The larger class would be freer in the right to speak out, subject only to certain safeguards the commission recommended to protect the confidence of the public.

The third subject of the report is disclosure of government information. The commission has attempted to make its recommendations consistent with the principles of the Freedom of Information and Protection of Privacy Act that is now in committee. In doing so, it recommends abolishing the oath of secrecy taken by crown employees and providing a statutory duty concerning disclosure to supplement any employee's common law duty to his or her employer.

The commission supports the principle of whistle-blowing, whereby an employee discloses information about government wrongdoing or inactivity in the greater public interest. The commission sets up a detailed procedure for disclosure to a special counsel, whom I will discuss in a moment, who could take steps to get an official response from the government and make the information public at the same time. There would be recourse to the courts in cases of disagreement.

The principal administrative recommendation is to establish the position of special counsel to the Legislative Assembly, a position responsible to the Legislative Assembly and not to the government. An official with the same title and similar powers operates in the United States federal government. The special counsel would advise crown employees on questions of acceptable political activity or acceptable public comment. This advice, provided confidentially on a solicitor-client basis, could be used by the employee if any disciplinary proceedings arose out of the activity or the comment.

The commission also proposes that employees should have statutory rights to arbitration concerning issues relating to potential activities, critical comments and disclosures of government information.

In typescript, the commission's report runs to three volumes totalling 900 pages. The commission has dealt with this important subject in a thoughtful and balanced manner and has obviously given us all a good deal to think about over the long vacation that is only hours ahead.

I invite public participation in considering the report. I expect it should be available in printed form in about six weeks. I ask that any interested

group or individual in the House or outside let me have comments in writing by the end of October 1986. The government expects to give the commission's report, for which I congratulate it once again, high priority in our legislative program.

Mr. O'Connor: By way of brief response to the statement of the Attorney General, I simply comment that the size of the package he has sent to us indicates he may be begrudging us the brief vacation we were due to start today; he hopes we will read this over the summer.

We welcome the general principles enunciated in the statement, although we have not had a chance to read any of the report itself. We can only point out at this point that it is a report of the Ontario Law Reform Commission. There should be full and public input to the report before it goes any further. There is no indication of when legislation might be formulated following on the report, but we anticipate that in the late fall.

I note with some encouragement that the principle of whistle blowing has been formally enunciated by the minister; that is, the former practice of the use of plain brown envelopes by civil servants is eschewed from this point forward. It is interesting and significant that the report and the statement the minister made were delivered to me, not in one but in two plain brown envelopes.

Mr. Rae: I want to comment on the report of the Ontario Law Reform Commission. First, I want to say—because no Liberal will ever say it—that it was something which was negotiated in the accord and it was called for specifically. We are very proud of that achievement.

I also want to pay tribute to my predecessor as leader of the party, Michael Cassidy, and to the member for Hamilton Mountain (Mr. Charlton), who was one of the first well-known victims of the previous and the existing Tory rules. I want to pay tribute to Jack Stokes, who I will be seeing tomorrow. If it was not for the courage that Jack showed in raising the MacAlpine case, we would not have had the kind of momentum for change that is in existence today.

The accord refers specifically to the redefinition and broadening of the rights of public service workers to participate in political activity. I want to say to the Attorney General (Mr. Scott) that the accord does not deal with a report from the law reform commission; the accord refers to the need for legislation. We expect that legislation this fall; we expect it to be in place this fall—

Hon. Mr. Nixon: That is not part of the accord.

Mr. Rae: —and we expect civil servants to have rights prior to the next election campaign in Ontario. Let us be very clear about that.

Hon. Mr. Scott: That is not part of the accord.

Hon. Mr. Kerrio: The member is making too many demands.

Mr. Mancini: The member is drawing lines in the sand.

Mr. McClellan: Something set them off.

Mr. Speaker: Order.

Mr. Rae: I do not know what I said. Are the members over there upset because I mentioned the accord? What is their problem?

Hon. Mr. Nixon: We like the accord.

Hon. Mr. Scott: We just do not capitalize on it.

Mr. Rae: I find it ironic to hear the member for Oakville (Mr. O'Connor) speak of the whistle-blowing aspect of this. Let us not forget what happened to Mr. MacAlpine: He blew the whistle and was fired. He was fired for blowing the whistle.

Somebody mentioned the Fraser case. If I may say so, the Fraser case is about a very different principle. Mr. Fraser was not blowing a whistle; he decided to express himself on a whole range of public issues at variance with those of the government. That is a different question, one with which the law reform commission deals very explicitly.

We want to see changes. We want to see those changes in legislation. We look forward to dealing with that legislation and passing it—first, second and third reading, and royal assent—in the fall. It can be done. Let us do it.

Hon. Mr. Nixon: Mr. Speaker, on a point of order: The Minister of Labour (Mr. Wrye) has a statement that may run over the minute and a half remaining. We would like unanimous consent for him to deliver it.

Agreed to.

UNEMPLOYMENT INSURANCE

Hon. Mr. Wrye: I thank the honourable members opposite for agreeing to allow this statement to proceed.

As honourable members are aware, during the past 15 months the federal government has made important changes to the way it determines the unemployment insurance benefits to which a worker is entitled.

To be specific, Ottawa is now deeming severance pay, pay in lieu of termination notice and pension moneys as earnings for the purposes

of calculating unemployment insurance benefits. The result has been to postpone, reduce or even, in some cases, eliminate workers' eligibility for UI benefits.

It is the view of the government of Ontario, other provincial governments and groups representing both business and labour that this federal initiative is regrettable. The practice adopted by the federal government is misconceived for the following reasons:

First, severance payments are provided to employees for the capital loss they suffer when they lose long-standing jobs, accrued employment benefits, seniority rights, returns to job and skill specialization and so on. Since severance payments are compensation for capital loss, it is unfair to deem them earnings for UI purposes.

Second, the other type of payment commonly received on termination, pay in lieu of notice, is considered to be a penalty levied on the employer for denying an employee the proper ability to arrange personal affairs in anticipation of job loss and to search for another job. As such, these payments should not be utilized as income support in place of UI payments. They should be available in full to terminated employees to re-establish themselves.

Third, the treatment of pension income as earnings for UI calculations has had the effect of reducing the incentive for employers to offer enhanced severance and early retirement packages in large-scale layoffs. This is a particular problem in northern Ontario, where plant closures and layoffs are causing community distress.

A worker's right to termination payments and severance payments is enshrined in Ontario's Employment Standards Act. Subsection 7(4) of the act requires all termination and severance payments to be made to a worker within one week of the termination of employment. Now, because of the changes to the UI regulations, this provision prescribes that termination and severance payments will be considered as ongoing earnings when UI benefits are calculated.

As I indicated earlier, this is having the effect of deferring, or even potentially eliminating, UI entitlement. It is also frustrating the will of this Legislature with regard to severance and termination pay. Accordingly, I will be tabling later today an amendment to the Employment Standards Act. This amendment preserves the intent of our legislation, which is to ensure that workers receive termination and severance pay in a timely fashion. It also minimizes their jeopardy with respect to UI entitlements.

The proposed amendment will operate as follows:

All employment contracts will be deemed, via the Employment Standards Act, to contain an item expressly allocating all severance and termination pay to the first two weeks following termination of employment. This corresponds to the mandatory two-week period always imposed by the Canada Employment and Immigration Commission before benefits can begin. The receipt of such moneys in the two-week waiting period will ensure that UI benefits are deferred for no more than three weeks rather than for the lengthy periods now imposed by the commission.

With regard to the federal treatment of pension income for UI purposes, I am informed that an employer and an employee may arrange for pension payments to commence at a date beyond the employee's period of entitlement to UI, thereby preventing pension income receipts from eroding UI benefits.

This bill will help to ensure that the economic security of Ontario workers is no longer jeopardized by substantial delays in the receipt of UI benefits. With this initiative, we will ensure that severance and termination pay legislation in our province does not produce unintended, undesirable results.

At the same time, these changes will maintain the fundamental purpose of our legislation: equity and justice for workers who either lose their jobs of long standing or who lose their jobs in an untimely way. The government remains committed to the view that elementary human needs must not be subordinated to questionable administrative practices.

Mr. Mackenzie: I welcome the intent of the statement made today by the Minister of Labour. The legislation we saw federally, which denied workers unemployment insurance benefits when they were receiving pay in lieu of notice, severance pay or early retirement benefits, was one of the most despicable pieces of federal legislation we have seen in this country's history. However, I want to see the bill the minister will bring in and I want to know his time frame. We seem to get a lot of promises but are a little bit short on action on those promises.

2:45 p.m.

ORAL QUESTIONS

EXTRA BILLING

Mr. Grossman: The absence of the Premier (Mr. Peterson) on this last day of the sitting is surprising. Apparently he will be travelling to

Expo 86 in lieu of answering questions in the House. I want to express our disappointment. It is the second day this week he has been absent.

In the continued absence of the Premier, I have a question for the Minister of Health. As we approach mid-year 1986 and have completed more than one year of his time in office, we adjourn for the summer facing this kind of situation in the health care system in Ontario: Women can no longer get abortions at Sarnia General Hospital. Thermograms are no longer available for women in Kingston. In vitro fertilization programs at the Toronto General Hospital are in jeopardy of closing. Ajax and Pickering General Hospital has closed its doors indefinitely to new admissions. Uxbridge Cottage Hospital is without a consulting obstetrician. Doctors are beginning to charge fairly significant fees for services they once provided without charge. Dentists are no longer performing oral surgery in hospitals. We are facing a series of rotating walkouts in hospitals across the province. A number of world-class physicians have left Ontario.

Looking at all this chaos in the system, can the minister still argue that the system is more accessible today than it was a year ago?

Hon. Mr. Elston: The honourable gentleman has come with all the material that should be at his disposal. He knows we are addressing the Uxbridge Cottage Hospital situation. That question was raised by the member for Durham-York (Mr. Stevenson). I have advised as to what has been suggested to us by the chairman of the hospital board on some of the things we might check into in relation to that service.

Services in the health care field have been provided and continue to be provided throughout the province. We can be appreciative of the significant contributions of all the health care professionals across the province in the delivery of service. What the member described as chaos, jeopardy or whatever is an exaggeration. The system is working. There is delivery of medical care in this province. I am sure he would want the public of Ontario to understand that medical services are available and people are receiving assistance throughout the province.

Mr. Grossman: No one in this House will be unaware that the minister makes a lot of phone calls. He calls the College of Physicians and Surgeons of Ontario. He does not get any action, but he calls it. He calls hospitals and doctors; he is always calling. The net result of it all is that he cannot deny the validity of the list I have reported to him. He cannot tell us today that the problems

at Uxbridge have been solved. He cannot tell us that dentists are performing surgery in hospitals. He cannot tell us that women can get abortions at Sarnia General. He cannot tell us that in vitro fertilization at the Toronto General Hospital is going on.

Would the minister like to state unequivocally here this afternoon that the system is more accessible today than it was a year ago?

Hon. Mr. Elston: I would like to state that the operation of the law of this province that ends extra billing has increased accessibility. The honourable gentleman's undertaking to the medical profession that he will repeal the law and again expose the public of this province to extra billing will do more harm to the system. The public of this province knows it is receiving and will receive medical care and has a great deal of confidence in the medical practitioners of this province.

2:50 p.m.

Mr. Grossman: A year ago, thermograms were available in Kingston. A year ago, in vitro fertilization was not in danger at the Toronto General. A year ago, abortions were available at Sarnia General. A year ago, dentists were performing oral surgery in hospitals in Ontario. Today, none of that is available. Is the minister prepared to say that with all those services gone or threatened, the system today is more accessible than it was when he came to office?

Hon. Mr. Elston: The honourable gentleman knows he is reporting on certain events that have been going on in this province for some time. He knows administrative charges have been made for several years. He will be aware of a statement made in 1978 by the college with respect to those charges, administrative and otherwise.

He will also understand that the in vitro fertilization program was not being funded a year ago because his government did not see the need to do it. We did. We have it in operation. We have it in place. We have funded it since October 2, 1985.

We have improved those sorts of accessibility questions. We have had some concerns expressed in certain areas, without doubt, and we are moving to address those concerns.

It does not become the Leader of the Opposition (Mr. Grossman) to try to indicate that the whole world is not better because we have introduced a law that prevents patients from having to check their pocketbooks before they seek medical attention in the province.

Mr. Grossman: They just have less health care than they had a year ago. That is the minister's error.

My second question is for the Attorney General (Mr. Scott).

Hon. Mr. Elston: "I will repeal the law," the member says.

Mr. Grossman: Careful; the Attorney General may refer it to you.

ABORTION CLINICS

Mr. Grossman: The other day, when I asked the Attorney General about abortions, he found it convenient, as is his habit, to avoid answering the question directly. On this last day of the House, so the people using the Morgentaler Clinic can know what position he takes in terms of his role here, can the Attorney General tell us specifically whether he has any control or influence over the laying of charges with regard to the Morgentaler Clinic?

Hon. Mr. Scott: I suppose we are going to have this question every second day.

As the honourable member knows, the Attorney General's function is to enforce the law, which includes the Criminal Code. The Criminal Code does not permit abortions to take place in the province, except in a hospital and under the certificate of a therapeutic abortion committee.

When it comes to the attention of the Attorney General or any law officer that such an abortion is being committed, he notifies the police, who will conduct an investigation. Once that investigation is complete, the police, under the Police Act, place the information they have obtained before a crown attorney in my ministry for the purposes of determining whether there is sufficient evidence to warrant a charge.

That is the process. That is the responsibility of the police, the crown attorney's staff and myself.

Mr. Grossman: We thank the Attorney General so much for describing the law to us, but that does not relate to the question.

Hon. Mr. Scott: I was only answering the question.

Mr. Laughren: Tell him what to do, Larry. Interjections.

Mr. Speaker: Order.

Mr. Grossman: Those boys need a summer holiday.

Mr. Eves: They are all going to Cuba.

Mr. McClellan: Yuri is going to Afghanistan. We are going with him.

Mr. Speaker: Order.

Mr. Grossman: The Attorney General has essentially described quite a passive role for the

Ministry of the Attorney General in terms of abortion prosecutions. I refer him to a quote under a heading "AG to Bar Abortions." The Premier (Mr. Peterson) is quoted as saying: "We will prosecute this under the law. We will use the power of the law not to allow free-standing abortion clinics."

The question I have is very simple. In accordance with the words of the Premier, is the Attorney General going to use the power of law not to allow free-standing abortion clinics? Is he going to watch passively what happens out there and if the police decide to lay charges, so be it, and if they do not, so be it?

Hon. Mr. Scott: I have some difficulty with the language in which the question is framed, which presumes I have the power to use the law. The fact is that the law in this case is enunciated by the Parliament of Canada. I do not have the power to use it. My obligation is, where there is sufficient evidence, to enforce it by laying an information through a crown law officer. As I have indicated to the member, I intend to perform that function, which has an investigative component performed by the police and a law assessment component performed by the crown attorneys in my office.

That is what we propose to do. It is the role my predecessors have performed. I refer at least to Mr. McMurtry. I know he performed it, because I discussed it with him. That is the way he viewed the law; that is the way I view the law in the role of the Attorney General.

Mr. McClellan: Now we know what his problem is.

Mr. Speaker: Order.

Mr. Grossman: I shall not allow the Attorney General to misrepresent the position of the former Attorney General in his absence. He would not want to be associated with this interpretation either.

Mr. Speaker: Order. I understand the member accused another member of misrepresenting—

Mr. Brandt: Another member's views.

Mr. Speaker: No, no. Will the member withdraw, please?

Mr. Grossman: Yes, I will withdraw. On that point of order: I want to say that I have been in this House for 11 years and heard all sorts of accusations that people are misrepresenting the facts—

Mr. Speaker: I appreciate that the member withdrew.

Mr. Grossman: The Attorney General's leader, the Premier, when asked about the abortion clinics, did not say it was up to the police to enforce the federal legislation. He did not say that if the police recommended the laying of charges, charges would be laid. He did not say it was out of his hands. What he said clearly was, "We"—being the government—"will use the power of the law to not allow free-standing abortion clinics in Ontario," resulting in the headline "AG to Bar Abortions."

Is the Attorney General telling the House this afternoon that he and the government are powerless and, therefore, the statement by the Premier does not totally reflect in an accurate fashion the Attorney General's ability to take action?

Hon. Mr. Scott: What I told the House is what I told the House. I do not see any point in repeating it again, and I will not.

Mr. Davis: Oh, I will take my ball and go home.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Scott: I want to disabuse the honourable member of the notion that the law is some kind of personal weapon that can be brought to bear by an Attorney General, the Premier or anybody else. The law is the interdict created by the people of Canada in Parliament. My function with respect to it is both investigative through the police and accessory and prosecutory through the office of the crown attorney. That is what I do. My own views about the propriety or wisdom of a particular law are simply beside the point.

3 p.m.

CONFLICT OF INTEREST

Mr. Rae: In view of the absence of the Premier (Mr. Peterson), I have a question for the Attorney General. Yesterday, at the standing committee on public accounts, the Premier said with respect to the conflict-of-interest guidelines, drawn up by officials in the Attorney General's ministry I understand, that those guidelines are so unclear as to be almost completely useless and, "There is no ongoing monitoring and no enforcement."

Can the Attorney General comment on the fact that on June 25, testifying before the public accounts committee, Blenus Wright was asked specifically by the member for Waterloo North (Mr. Epp): "Based on the two sets of guidelines—that is to say, the pre-Peterson guidelines and the

Peterson guidelines—is one set of the guidelines stronger than the other set of the guidelines?" Mr. Wright: "I would think the original guidelines were stronger."

Can the Attorney General confirm that this is the official view of his ministry and that, in fact, if the guidelines are useless, they are useless at least in part because the Premier changed them?

Hon. Mr. Scott: Mr. Wright, who acts in this capacity, while he is an assistant deputy Attorney General, has traditionally been appointed by the Premier to report directly to him on matters of guidelines. That was the position Mr. Wright occupied under Premier Davis and the position Mr. Wright occupied in the instant case.

The guidelines are very substantially the same as the guidelines issued by the previous administration.

Mr. McClellan: They were changed.

Hon. Mr. Scott: Of course they are changed or they would not be very substantially the same. They are changed but remain very substantially the same. The difficulty with the guidelines, it seems to me—

Mr. Davis: I am surprised he is answering the question.

Hon. Mr. Scott: It is a good question and I think it deserves to be answered, so I am answering it, if the member will keep quiet for a minute.

The difference I apprehend between the guidelines is one of clarity. I think the so-called Peterson guidelines are more clear than the earlier guidelines but there still remains much to be done.

Mr. Rae: The Peterson guidelines are so unclear as to be almost completely useless. That is how clear they are. If I may quote the Attorney General's leader, the guidelines were "Liberalized." That is why the government is in the position it is in.

Can the Attorney General confirm the guidelines were changed because of the views of the Premier, and presumably of others, that there were two problems with the guidelines and those specifically had to do with the need to make public office more attractive to business people? The statements have been made on a number of occasions both by Mr. Wright and Mr. Carman.

Mr. Speaker: Question, please.

Mr. Rae: Can he confirm that Mr. Wright told the committee the reason the Premier asked that the guidelines be changed, the reason he had a conversation with Mr. Robinette in May, was specifically in order to further "Liberalize" the

guidelines so as to make public office safe for businessmen?

Hon. Mr. Scott: I cannot confirm what Mr. Wright said to the committee because I was not at the committee and I have not read a transcript of his remarks.

Mr. Rae: You should have been there.

Hon. Mr. Scott: I cannot be at the committee; I have other things to do. The honourable leader of the third party was not at the committee either. I do not presume his absence from the committee was sheer idleness.

In any case, that is why I cannot confirm what was said at the committee. I cannot confirm why the guidelines were changed, because I had nothing to do with changing the guidelines and did not play a part. I will make an inquiry and try to develop a response to the member's question.

Mr. Rae: In the absence of the Premier, who should I ask? Should I ask the second most important person in Ontario, or the third or fourth?

Mr. Speaker: Does the member have a final supplementary?

Mr. Rae: Of course, Mr. Speaker.

Quite seriously, I am amazed that the Attorney General would not have had access to the transcript on this very important matter. Evidence has been given, and not only by Mr. Wright, who regards himself, as he puts it, "not in a solicitor-client relationship with any of the ministers of the cabinet but as a law officer of the crown who is responsible to the crown." He says, "The crown is my client."

He stated very clearly, presumably on behalf of the ministry and on behalf of the Attorney General, that the guidelines were changed with respect to two very basic areas. The first was to change the requirement that on entering the cabinet people had to divest themselves of shares in private corporations and to substitute the notion of a blind trust for that idea. The second was to introduce an exemption clause into the guidelines in regard to how they would be applied.

Mr. Speaker: Question.

Mr. Rae: The Attorney General must be aware of those two changes. Does he agree with Mr. Wright that their effect is to weaken and not to strengthen the guidelines?

Hon. Mr. Scott: I am in the same position. I cannot comment on Mr. Wright's statement because I was not there and I have not read it. If the honourable member wishes me to respond to a statement made by Mr. Wright, he could let me

know half an hour before question period. If he did, that would take all the television's fun out of the exercise, which is so important. On the other hand, it might get a more responsive exchange of answers than such questions can possibly get.

Mr. Speaker: New question.

Mr. Martel: We used to write out the questions two hours ahead of time.

Mr. Rae: Now that the minister gets here, he wants to change all the rules. He can muddle on as the rest of us do.

Mr. Speaker: New question, to which minister?

DOCTORS' FEES

Mr. Rae: I have a question of the Minister of Health. What course of action does the minister intend to follow with respect to the clear official action of the Ontario Medical Association advising members on what it regards as an acceptable fee to be charged for a whole range of services that are now uninsured? Since this is the last opportunity we will have to ask the minister for the next number of months, precisely what does he intend to do to ensure that we do not see an explosion of extra fees to substitute for extra bills?

Hon. Mr. Elston: I think the honourable gentleman has framed the question appropriately in as much as it can be inferred from what he said that this is a system of charges that has occurred in the past. As I indicated to the Leader of the Opposition (Mr. Grossman), there have been charges for uninsured services previously, and that has been recognized as a problem by the College of Physicians and Surgeons of Ontario, which took certain steps as long ago as 1978.

As I indicated earlier, we have made contact with the college. As soon as my schedule and that of Dr. Dixon can accommodate it, we will be meeting to discuss this more fully and thoroughly. We have also taken the opportunity of discussing the matter with people in the federal department from whom certain comments were reported in the press today about the potential impact of the special charges. Having taken those steps, we will be getting responses directly from the federal people and from the college.

Mr. Rae: Since the minister is not going to tell us what he intends to do other than to have meetings, what does he hope to come out of those meetings? What does he hope the result will be?

In particular, if it is the view of the minister and of the college that it is reasonable for physicians to charge, as an example, for tele-

phone consultation, if that is a reasonable service for a physician to be offering to a patient, does the minister not feel it would be reasonable for the fee schedule to be amended so the Ontario health insurance plan pays for that charge rather than the individual patient?

Hon. Mr. Elston: I cannot comment on what the college will or will not respond to me in the sense of what it will find reasonable or unreasonable. I am sure they will express their opinion about that during the meeting, and I am quite willing to consult with and speak to them about that.

With respect to negotiation of fees or items to be added to fee schedules under OHIP, that will be a topic of discussion between us and the association when discussions resume. I can tell the member that we will explore the possibilities and opportunities along the lines he has put to us.

3:10 p.m.

Mr. Rae: I do not want to read back every statement the minister has made, but does he not agree that if the basic intent of Bill 94 and of the Canada Health Act is that the average citizen should not have to pay for what one would regard as a normal contact and relationship with a physician, it may require amending the fee schedule and making some changes in what is to be regarded as an insured service? We appear to be finding an explosion of a general administrative fee, a general membership fee, syringe-by-syringe, thread-by-thread and phone-call-by-phone-call payment.

Does the minister not agree he must deal with the phenomenon of extra fees simply replacing the phenomenon of extra billing? Otherwise, we will have gained nothing by the passage of Bill 94.

Hon. Mr. Elston: The member has indicated clearly the concern that has been generated by the question which he first raised here perhaps on Tuesday, that we want to look at what is happening in the field, what these administrative charges deal with and exactly what effect they are having. Probably the member would be the first to admit that not all physicians are charging these fees. A lot of physicians are not charging any of these fees.

The question of these fees is not unique to Ontario and it has been raised in discussions I have had with other health ministers across the country. We all have concerns about the possible effect of discouraging access to medical services, and that is one area wherein I want to be sure we do not prevent people from seeking medical

services by the levying of these administrative charges.

ALLEGED CONFLICT OF INTEREST

Mr. Brandt: I have a question for the acting Chairman of Management Board of Cabinet, the government House leader. I want to bring to his attention a small oversight on the part of a former minister of the government in another ownership problem. He apparently inadvertently had an oversight. I presume the minister would respond, as did the Premier (Mr. Peterson), by saying this is nothing more than another technicality; however, in this instance, the former member for Cochrane North did, and does to this day, own a share in Hearst Le Nord, a newspaper in Hearst, Ontario. Although he owns only one voting share out of 400, I want to bring to the minister's attention by way of this question the fact that this is a media outlet and we are in the type of profession where the media have an influence over the decisions of the public and decisions made at voting time.

Does the minister not consider that when a member of the cabinet of which the minister is a part owns a voting share of a newspaper, the member of cabinet should comply with the disclosure requirements and indicate that the ownership is in his name, which it is?

Hon. Mr. Nixon: That sounds like something of significance that should be brought to the attention of the committee looking into this matter.

Mr. Brandt: I am sure that stock response is one we will be getting every day on questions like this. Does the House leader condone or approve of all other cabinet ministers refusing to either disclose or bring forward any of the private holdings they have, as required by the laws of this province?

Hon. Mr. Nixon: I hesitate to say it, in the light of the exchange a few minutes ago, but I believe the guidelines are quite clear in this connection.

OCCUPATIONAL HEALTH AND SAFETY

Mr. Martel: I have a question for the Minister of Labour. Since 1981, the United Electrical, Radio and Machine Workers of America has been negotiating with his ministry to get Canadian General Electric in Peterborough to conform with the Occupational Health and Safety Act in such items as floor plant committees which are put in position by the company and undermine, as opposed to complying with, the way the act says committees will be established, failing to

meet designated substance assessments and programs. Can the minister indicate why it has taken so long to get these problems resolved so that CGE complies with the act?

Hon. Mr. Wrye: I know the question my friend is asking. There is a question as to the appropriateness of having subcommittees and whether their extensiveness ends up flouting the full joint committee, which is properly in place at that company and has been since the act came into force. I know the honourable member will want to acknowledge that. I am very concerned about the matter of a subcommittee that can overrule the full committee. I have asked for a full report on this matter. I have also asked that the full workers' compensation records of the plant for the past several years be made available to me.

Any time any company or union wishes to ask for an exemption or for something different, it should come forward with proof positive that it is at the leading edge of safety in this province. I intend to see what bears out this very unusual arrangement.

Mr. Martel: Meetings occurred on March 16, 1981, January 7, January 8 and April 20, 1982, September 1983, and January 17, 1985. A whole series of letters has been exchanged by the ministry. Since in August 1985 the minister appointed Rory Egan to get a resolution to the situation, is he now prepared to make an application to the Ministry of Agriculture and Food for a tile drainage loan so we can drain the swamp and find the answers that might be left somewhere in the mud?

Hon. Mr. Wrye: I note that all the instances other than the last took place before this government took office. Mr. Egan was appointed several months ago, but we have not had his advice yet. It is always easy to try to slap around the minister and the bureaucrats. One of the real concerns is that the workers at that plant have allowed the situation to exist.

Mr. Martel: No.

Hon. Mr. Wrye: Somebody is forming the worker representation on the committee. The member should not tell me "No." He is wrong. The fact is that some workers have allowed that situation to exist.

SECURITIES INDUSTRY

Ms. Hart: My question is for the Minister of Financial Institutions. On June 11, the minister made an announcement that the government had decided to adopt in principle the main recom-

mendations of the report of the Ontario Securities Commission with respect to entry into and ownership of the securities industry. Can the minister tell me what the reaction of the securities industry has been to the proposed reregulation?

Hon. Mr. Kwinter: The member asks me a question that is quite far-reaching because the response and the reaction were quite far-reaching. Some people were happy, some people were not happy and some people were in between.

Interjections.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: I will try again. Order, please. Supplementary.

Interjections.

Mr. Speaker: It did not help; we will just wait. If you want to waste time like this, go ahead. Go ahead and waste time.

3:20 p.m.

Ms. Hart: When will the draft regulations be available for industry comment in order that there will time for comment before implementation?

Hon. Mr. Kwinter: What we have done is established a committee made up of representatives from the ministry, representatives from the securities commission and representatives from the industry itself. They are meeting now on an ongoing basis and as soon as they complete their report they will submit it to me.

RENTAL HOUSING PROTECTION LEGISLATION

Mr. Stevenson: I have a question for the government House leader. I ask it as a member of the standing committee on resources development. Can the government House leader explain why Bill 11, which was introduced on May 5 and was allowed to sit on the Orders and Notices paper for more than two months, was handled in the way it was when even brief public hearings were turned down over the objections of a few groups that wanted to make presentations? Why was that delayed for two months and public hearings disallowed?

Hon. Mr. Nixon: The bill was referred to the committee about a week ago. The feeling was that it had such an important impact on the community that, while public hearings are usually in the best interests of legislation, in this case we felt there should not be a delay past the summer adjournment. There was a feeling on all sides that, for a number of reasons, we have been

here long enough before an adjournment and the thought was that, by getting agreement on all sides, the bill might come back for enactment and third reading.

In this case, there was not agreement on all sides, but a substantial majority was of that opinion; therefore, the bill was referred back to the House and will be dealt with in the committee and, I trust, will be completed and enacted before we leave today.

Mr. Stevenson: I come back to justifying the handling of the bill. Here we have a bill with a list of amendments that will probably print up to be longer than the present bill. We have a minister who refuses to meet or consult with the Association of Municipalities of Ontario, which is greatly involved in the operation of the bill, and he also refuses to consult with the co-op co-ownership association. How can he justify closing off even brief public hearings in the light of the way the minister has handled this bill?

Hon. Mr. Nixon: Without calling the veracity of the honourable member into question, I cannot believe the honourable minister, who is one of the most open and sensitive ministers in the cabinet, would not respond to the requirements of individuals who want to see him. Most thinking citizens, including the editorialists of the *Toronto Star*, are advising all of us to proceed with this bill without delay. I sincerely hope all members of the House will see their way clear to do that.

Interjections.

Mr. Speaker: I wonder whether the members would allow another member to ask a question.

RADIOACTIVE SOIL

Mrs. Grier: I am sure the Minister of Housing will recognize this as one of the cans of radioactive soil from McClure Crescent that were sent to a number of politicians during Environment Week. In view of the fact that there are in this province two licensed, low-level radioactive waste dumps, one at Bruce and one at Chalk River, why has the minister not unravelled the red tape and removed the radioactive soil from the homes on McClure Crescent before renting out the houses to families?

Hon. Mr. Curling: The member well knows that the matter is now in court. We have located a place in which to put the radioactive soil. When the court has decided the case, we will proceed to move the soil.

Mrs. Grier: In September 1983, the member for London Centre (Mr. Peterson), then the

Leader of the Opposition, wrote to the then Minister of the Environment as follows, "I can think of nothing more preposterous than government officials sitting close-mouthed at Queen's Park while Malvern residents lived and played and grew vegetables on Radium-226 hot spots in their backyards."

Can the minister tell this House whether he thinks renting the homes and properties on McClure Crescent to families with young children is preposterous?

Hon. Mr. Curling: I remind the honourable member that McClure Crescent is in my riding. I have the same sensitivity and concern for my riding that I would have if the radioactive soil were located in any other member's riding. I give it very serious consideration.

The informed knowledge that I gathered from the experts is that the radioactive soil is not dangerous to the health of the residents. However, because of perceptions, my government was very sensitive—and I am glad the member has raised what my leader has done—we acted upon something that was sitting on the desk of the member for years. As soon as it is settled, the soil will be removed.

Interjections.

Hon. Mr. Curling: Mr. Speaker, I will take a second. I would like to answer the last part.

Interjections.

Hon. Mr. Curling: You did not move it.

Mr. Speaker: The member for York Mills (Miss Stephenson) will please come to order.

HISTORICAL PRESERVATION

Mr. Knight: My question is to the Minister of Citizenship and Culture. In the light of the number of historic buildings and lands that continue to disappear in the interest of new development, what does the minister intend to do to ensure that the protection of this aspect of Ontario's heritage continues?

Hon. Ms. Munro: The question is a good one, coming as it does from someone who is interested in all the historical preservation at Copper Lake. As a first step in the complex and complete public review of Ontario's heritage programs and legislation, I have asked the Ontario Heritage Foundation to undertake a review of its program activities over the past 10 years. This will obviously involve a review of the Ontario Heritage Act and will be a public participation process. I will be involving my critics opposite. I am sure we will come up with something

acceptable, not only to the public but also to our children's children.

2:30 p.m.

INSURANCE RATES

Mr. Jackson: My question is for the Minister of Financial Institutions. As a tribute to the minister's first year in office and his performance on the liability insurance situation, the children of Burlington have asked me to send him a souvenir copy of the Lion's Club carnival program which appeared in this week's Burlington Gazette. It is appropriately marked "Cancelled" in Liberal red across the face of it. They were unable to get liability insurance. This theme is still occurring across this province.

What is the minister doing to keep a record of cases such as this where children, volunteer organizations and fund-raising groups are disappointed, frustrated and unable to put on their programs? What is his ministry doing?

Hon. Mr. Kwinter: I want to repeat that to my knowledge there is no event that cannot get insurance, albeit the cost may prevent some organizers from buying it because they do not have the money. That may sound a very glib answer, but sometimes people do not have the financial wherewithal to take a risk and they cannot do it. It happens to everybody at all times.

Mr. Jackson: The minister cannot continue to say he has the matter under control. He talks about his Ontario liability insurance pool and says this program should be available and affordable. Those are the terms he has set out, and yet these horror stories persist throughout Ontario. What is his ministry actually doing that would say to the children of Burlington, "Your carnival will go on this weekend and other programs this summer will continue to go on under this program," instead of paying lipservice to this House about his inactivity?

Hon. Mr. Kwinter: There is not lipservice. We have assurances from the Ontario liability insurers that all fall fairs can be covered. Anyone who makes application for insurance can get it. If they cannot afford it, that is not the problem of the government; that is their economic problem.

PENSION FUNDS

Mr. McClellan: I have a question for the Minister of Consumer and Commercial Relations concerning another pension surplus withdrawal.

Is the minister aware and can he confirm that Marshall Drummond McCall—which is a Quebec-based public company, but the regulatory jurisdiction of its pension plan is in

Ontario—has applied for a pension surplus withdrawal of \$15.5 million? If so, can he tell us whether he intends to block this legalized theft of money that obviously belongs to the employees of Marshall Drummond McCall?

Hon. Mr. Kwinter: I have a list given to me on a regular basis from the Pension Commission of Ontario listing those firms that have applied for refunds. I do not see that name on it, but that does not mean it has not made application. It has not been made known to me, and I will be pleased to follow it up.

Mr. McClellan: There is a question on the Orders and Notices paper asking for precisely that list. The ministry has refused to provide that list to our research department for the past five months. If it is not too much to ask, will the minister have the courtesy to table the list? When will he bring in legislation that will plug this loophole to end the legalized theft of pension withdrawals and provide those funds to provide inflation protection for retirees?

Hon. Mr. Kwinter: I get a list of companies that have applied—

Mr. McClellan: Why cannot we have it? Why do your officials deny it to us?

Mr. Speaker: Order.

Hon. Mr. Kwinter: If the member will listen, I will tell him.

I get the list of those companies that have made application. That is confidential information until the pension commission allows them to withdraw it. When the pension commission says it is prepared to let them withdraw it, any member who is affected by it must be given 30 days' notice so he can make representations.

When the revised Pension Benefits Act is introduced, it will have provisions that the honourable member can then debate in the House, and we will then address his concerns.

FREE TRADE

Ms. Hart: My question is for the Minister of Industry, Trade and Technology.

Several months ago, the minister announced steps taken towards the reduction of barriers in interprovincial trade. Can he advise what progress has since been made in reducing the barriers identified at that time?

Hon. Mr. O'Neil: I believe my colleague refers to the provincial-federal meeting of economic development ministers held on June 4. At that meeting, two things were announced by Ontario. One was the reduction of certain prices concerning Newfoundland products by the Li-

quor Control Board of Ontario. The other was the indication by the Treasurer (Mr. Nixon) that we will be moving towards interprovincial standardization of pensions.

Also, at that meeting several other interprovincial trade barriers were identified by the committee, and the ministers returned to their own provinces with those products having been identified. We will be reporting back at the next interprovincial meeting.

Ms. Hart: Free trade negotiations will be continuing over the course of the legislative break. Can the minister advise me what steps have been taken to make sure Ontario interests are being represented during that break?

Hon. Mr. O'Neil: Consultation and research will be ongoing through the summer months. Mr. Reisman and his committee will be meeting on this subject, as will our representatives, headed by Bob Latimer. We will be watching the subject very closely over the summer months.

LANDFILL SITE

Mr. McCague: I extended the courtesy of telling the Minister of the Environment I had a question for him, and he slipped out to a phone to try to get an answer, but he is back. About 70 days ago, I had one of the very capable pages deliver to the minister a letter from a group called Preserve Our Rural Tecumseth, which is concerned about matters in my riding in which he should be interested. When can those people expect to hear from him?

Hon. Mr. Bradley: First, I want to thank the member for some notice of the question. I heard earlier there was some discussion of that kind of notice, and I think it is very helpful.

I appreciate the member bringing this to my attention. There will be a reply in the not-too-distant future. I know it is a matter of great importance to him. I want to tell his constituents who will be watching this program this afternoon or at 11:30 tonight that the member has communicated with me both in writing and in the House personally and has drawn this to my attention on many occasions. I hope to have an answer for him and his constituents in the very near future.

Mr. McCague: I appreciate the sincerity of the answer. I realize it is the only one the minister could possibly give on 10 minutes' notice. I understand a small item like this on behalf of my constituents does not attract the national attention to which he has become accustomed. However, when is he going to agree with his leader and with the Blueprint for Waste Management and bring

private waste disposal site applications under the Environmental Assessment Act?

Hon. Mr. Bradley: I have that under advisement at present. I have given it serious consideration. As the member knows, in some cases it depends on the size of the area to be serviced by a landfill site whether it is subjected to the Environmental Assessment Act as a public landfill site.

In this specific instance, the member has offered some good evidence that there is a need for a full review and a meaningful hearing. He is quite justified in bringing this matter to my attention because, as all members know, a number of these problems that may not have national significance, as he points out, are important to the local people. I am prepared to provide that answer to him in the not-too-distant future.

I do not exclude that as a possibility, because I think it is important that people receive the best kind of assessment possible, whether landfill sites are in the private or in the public sector.

3:40 p.m.

PENSION FUNDS

Mr. Rae: I have a question of the Minister of Financial Institutions. We have been told on countless occasions two things with respect to pensions. First, we have been told by the Pension Commission of Ontario that we cannot get access to the names of companies that have applied for withdrawals of surplus pensions. I cannot even get that information with respect to cases that occurred back in 1981. I am told that information is not available to us; it is too complicated and we cannot get it.

The second thing we are told—and the minister has said this on dozens of occasions in the House—is that the pension commission has an arm's-length relationship with the government. It has nothing to do with him, he was not there, it was somebody else's brother and the minister did not have anything to do with him. Now he comes into the House and says he has a confidential list of companies that have applied to the pension commission for surplus withdrawals. He is not going to do anything about those withdrawals, but he has that list and he is not prepared to share that information with the House.

My question to the minister is, what gives? Why can he not give that information to the Legislature? If it is good enough for the minister, why is it not good enough for the rest of us?

Hon. Mr. Kwinter: It is good enough for me because I happen to have responsibility for the

pension commission; this House does not. The list is provided, but it is not made public because some of the requests are turned down, some of them are pending for whatever reason and some of them are granted. When they are granted, that information is available.

Mr. McClellan: Why does the minister have the list if it is an arm's-length relationship? What is the purpose of the minister having the list, which presumably includes the names of companies that have applications pending for pension surplus withdrawals? Is it at arm's length, or does the minister approve them himself?

Hon. Mr. Kwinter: I can assure this House I have no input into the approval. I am the minister responsible, and for that reason I have the list.

ENVIRONMENT CANADA

Mr. Mancini: I have a question for the Minister of the Environment. Has the minister seen the recent press reports indicating the government of Canada wishes to dismantle Environment Canada and thereby pass on these responsibilities to the provinces in this country? Can the minister tell me whether the federal Minister of the Environment in any way sought his advice or asked him for any input?

Hon. Mr. Bradley: That is an excellent question. I hope it is not the last question of this session, because there are many important ones to be addressed, as this one is.

The second part of the question related to consultation with the provinces before any decision on this report was made. First of all, I have not seen the report, because it is a secret report. From the speculation I have heard or the reports I have seen in the press, however, there is an indication that if this report were implemented, there would be a planned scaling down of the role of Environment Canada.

To my knowledge, the provinces have not been consulted on this. I am hopeful the government of Canada will not scale down or dismantle Environment Canada, because the Ontario office of Environment Canada has been very co-operative with us and helpful in dealing with a number of environmental problems. We feel that while the provinces must play a significant role in pollution abatement, for instance, they would like to do so under the strong leadership of an Environment Canada that has the necessary funding and the mandate to carry out its obligations.

Interjections.

Mr. Speaker: Order.

Mr. Mancini: People who live near the international border, such as the people of Windsor and Essex county, are quite concerned about this proposal by the government of Canada. We know what transboundary pollution can do and how it affects our water and air quality. Can the Minister of the Environment tell me whether, if the government of Canada does what the secret report says it should do, that is going to put undue budgetary pressures on his ministry and whether it is going to cause him not to approve the many requests that all members of this House have made of his ministry for water lines, sewage projects and things of that nature?

Hon. Mr. Bradley: I hope that is not carried out, and I know there are many who would not want to see it carried out. The placing of an additional financial burden on the provincial government, which does not have the tax base the federal government has, would be detrimental to sound management of the environment in this country. For that reason, I encourage the federal government not to weaken, dismantle or move its responsibilities to the provincial level, but rather to fund this to a greater extent and play a more significant role. I support all who are in favour of that.

APPOINTMENTS IN PUBLIC SECTOR

Hon. Mr. Nixon: I table the six-month update, according to government policy, on the agencies, boards and commissions, listing all the appointments, terms and salaries in all the agencies, boards and commissions in the province.

PETITIONS

SALE OF BEER AND WINE

Mr. Callahan: I have a petition addressed as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"As concerned citizens and employees of supermarkets in the Brampton area, we understand that the government of Ontario plans to introduce legislation to permit the sale of some beers and wines in Ontario grocery stores and that this may be confined to so-called independent stores.

"As supermarket employees, we feel that our jobs may be jeopardized by this action and urgently request the government of Ontario to include supermarkets in their designation of

grocery stores if such legislation be passed to permit beer and wine sales in same."

Mr. Speaker: Before the next petition, I ask all members who are sharing in private conversations to refrain or to lower the volume.

Mr. Partington: I have a petition on behalf of the employees of Loblaw's Ltd. store 193 in St. Catharines in Brock riding expressing objection to any legislation that would exclude products because the store is not a so-called independent store, the reference being to beer and wine.

Mr. Cousens: I have petitions from a number of grocery stores in my riding. I have one from the IGA store in Thornhill, one from Loblaw's supermarkets in Richmond Hill, another from the Miracle Food Mart in Thornhill, another from the Miracle Food Mart in Markham, another from the IGA in Richmond Hill, and another from a friendly group of people at Loblaw's Ltd. in Northgate plaza in North Bay.

Those who signed wish to express their objection to our Legislature on any legislation that would exclude them or their places of employment from the opportunity to sell their customers any products simply because they are not a so-called independent store.

This practice would discriminate against their customers who choose to shop there of their free choice for reasons they believe they have contributed to. This practice would discriminate against them by encouraging their customers to shop elsewhere. They believe they work hard and conscientiously for their customers and intend to do so for beer and wine as well as for any other product they sell, including many strictly regulated products.

They object to any government action which jeopardizes their jobs and earnings by manipulating free customer choice.

Mr. McCague: I have two petitions I wish to present, from the employees of Zehrs Markets in Orangeville and Zehrs Markets in Wasaga Beach, on the subject of beer and wine in Ontario grocery stores, the substance of which has been read into the record many times.

Mr. Offer: I have a series of petitions: one from the employees of Loblaw's store 48, Mississauga; one each from Food City stores 750, 462, 466 and 468; one from the Miracle Food Mart at 1155 Dundas Street West in Mississauga; one from the employees of the Miracle Food Mart at 3200 Erin Mills Parkway in Mississauga; and finally one from the employees of the Miracle Food Mart at 7205 Goreway Drive in Mississauga.

These petitions state that they wish to express their objection to any legislation which would exclude them and their place of employment from the opportunity to sell to their customers any products simply because they are not a so-called independent store.

This practice would discriminate against their customers who choose to shop there of their free choice for reasons they believe they have contributed to. This practice would discriminate against them by encouraging their customers to shop elsewhere. They believe they work hard and conscientiously for their customers and intend to do so for beer and wine as well as for any other product they sell, including many strictly regulated products.

They object to any government action which jeopardizes their jobs and earnings by manipulating free consumer choice.

ONTARIO HUMANE SOCIETY

Mr. Callahan: I have a further petition with a large number of names attached. It is addressed as follows:

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the government of Ontario provide adequate funds to the Ontario Humane Society's animal protection services."

TAX INCREASES

Mr. Haggerty: I have a petition signed by 282 constituents of the riding of Erie.

"To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"I, the undersigned, beg leave to petition the parliament of Ontario as follows:

"I feel that the tax rate increase of 24.6 per cent levied on old ward 4 in the town of Fort Erie is unjust. I also understand there has been a directive from the Ministry of Municipal Affairs to make some changes in the tax structure over the past few years which have not been acted upon. This tax structure seems to be a stopgap measure to appease the directives of the Ministry of Municipal Affairs."

3:50 p.m.

GASOLINE PRICES

Mr. Cousens: "To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We request the government of Ontario to reduce gasoline tax by 1.1 cents a litre from 8.3

cents a litre to 7.2 cents a litre immediately and to phase in further reductions over three years to 5.4 cents a litre by 1989."

I have several hundred petitioners seeking to express their views on that.

VEHICULAR TRAFFIC

Mr. Cousens: "To the Lieutenant Governor and the Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We feel that the volume and noise of the traffic, specifically trucks, on Main Street in Markham, are detrimental to the shoppers, the businesses and the overall atmosphere and concept of the old Markham village.

"Therefore, we would like to have trucks prevented from using Main Street-Highway 48-between Highway 7 and 19th Avenue during business hours. An alternate truck route should be established."

NATUROPATHY

Mr. Cousens: "To the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is our constitutional right to have available and to choose the health care system of our preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

I can only say in conclusion that the people in York Centre are not happy the government is doing so many things wrong.

Interjections.

Mr. Speaker: Order.

GILL NETTING

Mr. Haggerty: This is to advise the members of the Legislature that I have received 712 grievances signed by concerned citizens wanting gill netting stopped.

SIDEWALKS

Mr. Cousens: I have a petition from residents of the town of Markham. As taxpayers and parents, they are concerned about the safety of their children walking through areas where there

are potentially dangerous conditions. There are 80 names attached to this, especially from the Norwich and Raymerville areas. The hazardous conditions to reach Raymerwood Public School are the creek, the ravine and no continuous sidewalk. The creek floods over Raymerville three to four times a year.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. McCague from the standing committee on general government presented the committee's report on the 1984-85 annual report of the Ontario Institute for Studies in Education and moved the adoption of its recommendations.

Mr. McCague: We just finished consideration of this matter this morning. The report is in a draft state at this point. It is official, but it is not a bound copy, which we presume we will have. We will also have a French version of the report as soon as possible.

On motion by Mr. McCague, the debate was adjourned.

Mr. McCague from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 75, An Act to amend the Education Act.

Motion agreed to.

Bill ordered for third reading.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Laughren from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31, 1987:

| | | |
|----------------|------------------------------------|----------|
| Ministry | administration | program |
| \$14,966,800; | environmental services | program |
| \$44,291,000; | environmental control | program |
| \$52,639,600; | and utility planning and operation | program, |
| \$178,017,700. | | |

Mr. Speaker: Motions.

Hon. Mr. Nixon: Although I do not have motions to put at this time, there will be motion before the House adjourns. I simply give notice now that I will ask for unanimous consent at the appropriate time. These motions will establish the membership of the various committees

Unfortunately, all the details are not complete at this moment.

INTRODUCTION OF BILLS

SURVEYORS ACT

Hon. Mr. Kerrio moved first reading of Bill 127, An Act to revise the Surveyors Act.

Motion agreed to.

Hon. Mr. Kerrio: Mr. Speaker, I gave the House notice today of the bill and explained the ramifications. I am not sure you would like me to read the report into the record as a statement, unless I am otherwise directed.

Mr. Speaker: I think it will be all right at a later date.

Mr. Laughren: Mr. Speaker, I have a point of order on the first reading of the bill just introduced by the Minister of Natural Resources.

Mr. Speaker: I am sorry. The motion was carried.

Mr. Laughren: I was on my feet.

Mr. Speaker: I will not make any comment.

Mr. Laughren: I have a very brief comment.

Mr. Speaker: I am sure the House wants to hear the comment by the member.

Mr. Laughren: I want to comment more in the form of a question to the Minister of Natural Resources, who I think is well intentioned. Does the fact that he now is going to be engaged in determining the size and shape of the earth and the interrelationship of points on its surface mean he has finally got control of his ministry?

Hon. Mr. Kerrio: That part of the bill relates to my ancestors, who proved that the world was round and not flat.

Miss Stephenson: Then why did he revert to the Flat Earth Society?

Hon. Mr. Kerrio: We started the first medical school too.

Mr. Speaker: Order. The motion was carried and it will remain carried.

1 p.m.

EMPLOYMENT STANDARDS AMENDMENT ACT

Hon. Mr. Wrye moved first reading of Bill 28, An Act to amend the Employment Standards Act.

Motion agreed to.

TORONTO HOSPITAL ACT

Hon. Mr. Elston moved first reading of Bill 29, An Act to amalgamate Toronto General Hospital and Toronto Western Hospital.

Motion agreed to.

Hon. Mr. Elston: This bill has come to us quickly over the past few days, but it is the result of a series of long meetings over many months between two of the recognized hospitals in Toronto. They request that we move to incorporate the merger through legislation. Such legislation will revoke the other legislative bases for the separate existence of those institutions. I look forward to the support of the House in relation to passage.

GOLD CLAUSES REPEAL ACT

Hon. Mr. Nixon moved first reading of Bill 130, An Act to repeal the Gold Clauses Act.

Motion agreed to.

Hon. Mr. Nixon: The act is proposed because the statute appears no longer to serve any useful purpose. Comparable federal legislation has recently been repealed by Canada. There will be no disadvantage to Ontario from the repeal of this statute.

ASSESSMENT AMENDMENT ACT

Hon. Mr. Nixon moved first reading of Bill 131, An Act to amend the Assessment Act.

Motion agreed to.

Hon. Mr. Nixon: There are three main purposes for the bill. First, it will restore business tax liability to the Ontario Jockey Club, credit unions and other nonprofit corporations that compete with similar profit-making businesses. Second, the bill will ensure that silos; storage tanks and bins used in manufacturing and farming operations continue to be liable to taxation. Third, the bill provides for an exemption from property taxation for amusement rides. For those municipalities that will be affected by tax losses through this exemption provision, the bill allows the Minister of Municipal Affairs to make compensating grants for a three-year period.

In addition, I am proposing in this bill an administrative amendment that provides for the reassessment of pipelines to occur at the same time as the next general reassessment of all properties in the municipality.

LABOUR RELATIONS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 132, An Act to amend the Labour Relations Act.

Motion agreed to.

Mr. Mackenzie: The purpose of the bill is to protect the jobs and rights of employees in various cleaning, food service or nursing home

operations. It says that where work previously done by those employees at an establishment is contracted to another employer, or where work done at an establishment by employees of a contractor is contracted back to the owner of the establishment, or where one contractor is replaced by another, the employees cannot lose the benefits they have achieved as a result of organization.

Mr. Andrewes: Mr. Speaker, on a point of order: I want to elaborate on a point of information that was given to us by the Premier (Mr. Peterson) yesterday with respect to the appointment of Roland Cloutier to the Northern Ontario Development Corp. The Premier indicated that had been—

Mr. Speaker: Order. May I ask on what point of order the member is rising?

Mr. Andrewes: To correct the record. Information was presented to us that was inaccurate and I want that information to be—

Mr. Speaker: Order. I believe on a number of other occasions, members have risen to correct the record on information they have placed on the record, not on information that has been placed by other members.

Miss Stephenson: Mr. Speaker, on a point of information: When there is concern that information given to the House has been quite inaccurate, even though it was given by someone else, is there any means of ensuring that the correct information is given to the House?

Mr. Speaker: There are other opportunities, such as members' statements, or the question can be asked again. As I said, on many occasions members have corrected the record, but the standing orders allow them to correct only their own record, such as on a point of personal explanation. However, the member is not on a point of personal explanation. He is trying to correct someone else's comments. In other words, he is trying to start a debate.

Mr. Andrewes: No.

Interjections.

Mr. Speaker: Order.

4:10 p.m.

ORDERS OF THE DAY

House in committee of the whole.

RENTAL HOUSING PROTECTION ACT

Consideration of Bill 11, An Act respecting the Protection of Rental Housing.

Hon. Mr. Nixon: In considering Bill 11, I ask the consent of the House to permit the minister to move to another seat so he might get information more readily to assist in dealing with the bill and its amendments.

Agreed to.

Mr. Shymko: Mr. Chairman, on a point of order: Forgive me for not being totally aware of the standing order procedures. A few days ago Bill 11 was sent to the standing committee on resources development by 20 members or more rising in the House. It was sent back immediately from that committee to the House. I would like the Chairman to rule whether that contravenes section 57 of the standing orders.

Hon. Mr. Nixon: Mr. Chairman, before you make that ruling, I would like to point out that was on motion taken in the committee and supported by a majority of members of the committee that the bill was returned to the House for review by the committee of the whole, which we are endeavouring to begin at this time.

Mr. Shymko: Referring to the remarks made by my honourable colleague about a majority, is conceivable that 100 members of a 125-member legislature would vote for a bill to go to standing committee and 12 members of standing committee would refer it back against the wishes of 100 members.

Mr. McClellan: I understood there was a three-party agreement on the procedure that was unfolding here this afternoon. If that is not correct, there are alternatives.

Mr. Chairman: Is the member for High Park-Swansea (Mr. Shymko) referring to new standing order 63?

Mr. Shymko: I have a copy of the August 1981 Standing Orders of the Legislative Assembly. My numbering referred to 57 of the August 1981 version, which I believe is the same under the present standing orders but in a different numerical sequence.

Mr. Chairman: That is the new 63, and says, "When a bill is referred to a standing select committee"—and you are referring here to it being referred to a standing committee—"after second reading," which it was, "it shall not be considered in committee"—it would be the committee that is referred to, not upon committee back to the committee of the whole House—"within five days after the referral"—that is, the referral by this House to the standing committee—"unless a waiver of this interval" and so on. You are talking about the referral from this House to

standing committee being less than five days. Is that correct?

Mr. Andrewes: Might I interrupt this enlightened discussion and indicate that we have all-party agreement to move to committee of the whole on Bill 11?

Mr. Shymko: I was just informed that there was an agreement of the three House leaders, so I understand the clarification.

Mr. Chairman: I believe the time is past. It should have been brought up when the bill was reported back to the House. That was the first opportunity to have brought this up, or in the committee itself. Those were the times to bring up the standing order. I am afraid it is too late, because it has been reported back and accepted.

On Bill 11, are there any comments, questions or amendments and, if so, to what section?

Mr. Shymko: Notwithstanding the agreement of the three House leaders, I am deeply concerned by the decision of the committee yesterday to send this back to the House. The intention—

Mr. Chairman: If you have amendments, to what section are they? We are just gathering now.

Mr. Shymko: Are we going clause by clause? My amendments are for section 2, and I believe copies have been distributed to all parties. Do you have a copy, Mr. Chairman?

Mr. Reville: I have amendments to sections 1, 2, 4, 9, 10, 12 and 13.

Ms. Fish: I will be moving amendments to subsections 7(10) through 7(15). Legislative Counsel is now looking at the appropriate numbering for an amendment for a short new section of the bill which is not yet numbered.

Mr. Chairman: Where will that new section go?

Ms. Fish: Counsel is assessing that now. I believe the recommendation will be that it will be towards the end of the bill, perhaps as a section 10a or section 11a.

Mr. Chairman: Perhaps I can make things a little easy on the minister. I have been given a list of government amendments. Can you confirm that these are correct and all-inclusive? There are amendments to the definitions of “co-operative,” “municipality,” “rental residential property,” and “rental unit.”

Hon. Mr. Curling: Yes.

Mr. Chairman: Then there are amendments to section 3, subsections 4(1), 5(1), 5(3); a new subsection 5(4); subsections 6(1), 6(3), 7(1),

7(2); a new clause 7(3)(a); subsections 7(5), 7(10), 7(11); a new clause 7(11)(a); subsection 7(12); a new clause 7(12)(a); subsections 7(13), 7(14); clauses 9(a), 9(b), 9(c); a new clause 9(h); subsections 10(1), 10(2), 10(3); section 11; a new section 11a and section 12. That is the list. Is it all-inclusive?

Hon. Mr. Curling: All-inclusive.

Mr. Chairman: I will ask for patience as we go along. When we have an amendment from, say, the ministry and amendments to the same section from, for example, the member for Riverdale (Mr. Reville) and the member for St. George (Ms. Fish), we may get a wee bit out of order in that we may take one of the amendments in a slightly inappropriate order.

Ms. Fish: That is not inappropriate.

Mr. Chairman: Depending upon what is in the amendment, perhaps one should definitely go ahead of the other because of its contents. There may not be time to get it sorted out. It will become obvious if we get into trouble.

Do we have the amendments from the member for St. George? We will start with section 1. Definitions are definitely first. The member for Riverdale also has an amendment to section 1.

Mr. Reville: It might be useful if the government were to move its amendment, because my amendment amends that amendment.

Mr. Chairman: That is exactly what I was referring to with the member for St. George. That is exactly right.

On section 1:

Mr. Chairman: Mr. Curling moves that the definition of “co-operative” in section 1 of the bill be struck out and the following substituted therefor:

“‘co-operative’ means a rental residential property, other than a condominium, that is

“(a) owned or leased or otherwise held by or on behalf of more than one person where any owner or lessee has the right to present or future exclusive possession of a unit in the rental residential property, or

“(b) owned or leased or otherwise held by a corporation having more than one shareholder or member where any one of the shareholders or members, by reasons of owning shares in or being a member of the corporation has the right to present or future exclusive possession of a unit in the rental residential property.

“but does not include a nonprofit co-operative housing corporation as defined in the Residential Tenancies Act.”

4:20 p.m.

Mr. Reville: I withdraw my amendment because it now appears in the minister's amendment.

Mr. Shymko: Does the minister's definition of "co-operative" refer to such residences as 80 and 100 Coe Hill in the riding of High Park-Swansea in Toronto's west end, where some years ago some individuals conned a number of our citizens into buying shares in the mortgages and the ownerships of these buildings with the impression being given that they could give eviction notices to the tenants by buying it as a block?

As I recall, we as a government intervened with one piece of legislation to prevent the eviction of these tenants. We also intervened with another piece of legislation preventing the individuals from misinforming potential purchasers about these co-operative shares and the fact that they could remove tenants, and there was a penalty attached. I believe both acts were passed in 1983.

There has been a lot in the media about those so-called co-operatives. The problem faced by tenants was eviction, and that had been resolved, but many of the individuals who had bought the shares and considered themselves as owners of co-operatives, owners of these buildings, cannot move in and are caught in limbo in a catch-22 situation to this day. I recall one elderly lady who parked herself in the lobby because she had sold her home thinking she would have occupancy rights. They all had possession rights but no occupancy rights.

Does the minister's definition of "co-operative," to which I carefully listened, apply to these homes and to these ownerships?

Hon. Mr. Curling: If they were created before June 1985, they are exempt.

Mr. Shymko: In other words, do I understand that these buildings will now be considered to be co-operatives and will be regulated by this act?

Hon. Mr. Curling: No, it does not apply to them.

Mr. Shymko: It does not include these buildings?

Hon. Mr. Curling: No.

Mr. Shymko: What are they defined as? Are they not based on shares? I believe in his definition the minister refers to shared ownership. That is what they have, a share in the ownership of these buildings with possession rights.

Hon. Mr. Curling: If they were created before June 1985, they are not included in this; they are exempt.

Mr. Shymko: But any similar arrangement that occurred, let us say, next month, would be included in this definition.

Hon. Mr. Curling: Yes.

Mr. Shymko: Is the minister saying we will now have two classes of similar buildings, with similar agreements in similar situations, but some will be protected by this bill and others will not?

Hon. Mr. Curling: If they were not created before June 1985, we will have that situation.

Mr. Shymko: Before June 1985. So we have a situation in which a bill that applies universally to all buildings will have no reference whatsoever to the anomaly of buildings that were purchased with these arrangements before 1985. We will have one class of protection for one group of citizens and another class with no protection at all.

I do not refer to tenants but to landlords who were conned into buying these buildings on the definition that these were co-operative ownerships.

Hon. Mr. Curling: As I stated, if they were created before June 1985, they are not included in this definition.

Mr. Shymko: I point out to the minister the serious nature of creating a class in limbo that will continue in perpetuity. I would appreciate if this could be addressed so that there would be equitable protection for these poor people in this unfortunate and terrible predicament of not being able to occupy these apartments and who are not considered to be protected by this bill. Could not the deadline of June 1985, or whatever the minister referred to, be made retroactive to January 1983 so that all of these buildings would be included and protected under the definitions?

Hon. Mr. Curling: After considerable discussion, we felt that June 1985 was adequate as a date to go back to. To go back to 1983 would be too far. We thought that June 1985 was quite adequate.

Mr. Shymko: Again, I refer to a dilemma that has existed since 1983 when the government tried to intervene. I compliment the minister on the introduction of Bill 11, which is trying to resolve the terrible anomalies that exist, and to clean up this mess that has existed because there were no regulations and no acts to regulate or clean up, and con artists had been moving in.

every direction. The Cadillac Fairview flip is one classic example.

These are situations of so-called co-operatives where individuals have a share of ownership. It would be complimentary to this government and this minister if, in trying to clean up this mess, he would clean up the entire mess, not just a part.

My appeal to the minister is in the application of this definition. I compliment and commend him on introducing it and he has the support of my colleague to the left. The definition could really alleviate, resolve and clean up the mess of those who have been placed in that predicament for the past three years.

Hon. Mr. Curling: The member will find within this bill that we have introduced retroactivity as the member suggests. We decided June 1985 was more appropriate than going back to 1981 or 1983. Many dates could come up, but we decided June 1985 was an appropriate time to be included in this bill.

Mr. Chairman: We are off and running on a question of dates. The amendment in front of me says nothing about dates. I question whether the discussion we are having on dates is relevant to the definition.

Mr. Shymko: I do not have a copy of the amendment because I am not the critic in this area. However, in referring to the minister's remark that there is no reference to a date in the actual definition, I cannot understand why the minister is so strenuously arguing the June 1985 date unless he wants to be very symbolic. At the end of June, or close to June 1985, a new government came in; therefore, the minister began a cleanup, a new slate or a new vision of Ontario from that date. We are not playing at symbolism. I do not know what his concern is and why he refers to a date when it is not even in his amendment.

Hon. Mr. Curling: I can stay all day and debate why June 1985 would be good. June 1985 was decided on after considerable discussion and thought.

Mr. Shymko: The Chairman pointed out that there is no reference to the date in the minister's definition. Where is the date? Is it in the bill somewhere?

Hon. Mr. Curling: It is taken care of in the regulation.

Mr. Shymko: What regulation?

Hon. Mr. Curling: Does the member not have a copy of the regulation?

Mr. Shymko: I do not have copies of regulations. Normally, regulations are not part of

the bill. Often an act is passed and regulations are implemented later, but we do not see copies of regulations.

4:30 p.m.

Mr. Reville: On a point of order, Mr. Chairman: Surely the debate is about a definition and not about a date. Perhaps the minister can supply the regulations for the member so we can decide whether we like the definition.

Mr. Chairman: That is correct. Perhaps the member for High Park-Swansea can talk to the member for St. George, the critic, to see whether she has any copies of the regulations.

Mr. Shymko: Can the minister send me a copy of the regulations?

Hon. Mr. Curling: We will have a copy sent to the member.

Motion agreed to.

Mr. Chairman: The member for Riverdale has withdrawn his amendment. We shall look at the definition of "municipality."

Mr. Curling moves that the definition of "municipality" in section 1 of the bill be amended by inserting, after "village" in the first line, "improvement district."

Mr. Reville: I support the amendment.

Motion agreed to.

Mr. Chairman: Mr. Curling moves that the definition of "rental residential property" in section 1 of the bill be amended by inserting, after "units" in the second line, "but does not include a condominium."

Motion agreed to.

Mr. Chairman: Mr. Curling moves that the definition of "rental unit" in section 1 of the bill be struck out and the following substituted therefor:

"'rental unit' means any living accommodation which is used as rented residential premises and includes a room in a boarding house or a lodging house."

Motion agreed to.

Section 1, as amended, agreed to.

On section 2:

Mr. Chairman: Mr. Shymko moves that section 2 of Bill 11 be amended by adding thereto the following subsections:

"(2) Despite the provision in subsection (1) or in subsection 82(1) of the Landlord and Tenant Act and subsection 2(1) of the Residential Tenancies Act, an agreement between a landlord and a tenant under which the tenant acquires,

“(a) greater security from eviction from a rental residential property than the tenant would have without the agreement; or

“(b) greater protection from rental increases in respect of a rental residential property than a tenant would have without the agreement,

“is enforceable by the tenant against the landlord and the assigns and successors of the landlord.

“(3) Where residential property units are sold by a landlord under agreements between the landlord and tenants so that less than half of the occupants of the building have lifetime security as tenants in their units, no person who purchased a unit may resell the unit within 18 months after the purchase and no sale of the unit is enforceable within the 18-month period.”

Mr. Shymko: I will not reiterate the hour or so of comments I made about the introduction of this amendment during the earlier debate in the presence of the minister. He is well aware of the intentions of this amendment; he received copies of it much earlier, prior to second reading of the bill.

This amendment provides for the first time in any jurisdiction in this great country of ours the maximum protection for tenants. There are two relevant acts. Subsection 82(1) of the Landlord and Tenant Act gives the landlord the right to occupy a unit and evict a tenant under certain conditions, and subsection 2(1) of the Residential Tenancies Act gives the landlord the right to seek increases guaranteed by the acts of this province. At present, there are four per cent automatic increases, but if Bill 51 goes through, the increase will probably be five per cent or six per cent.

We are providing the landlord with the right to waive his rights. If a landlord wishes to waive his right of occupancy and to state that the tenant may in perpetuity for his or her lifetime occupy and rent a unit, the landlord may waive the rights guaranteed under the Landlord and Tenant Act. Equally, if a landlord feels he does not need a four per cent increase in the rental fees every year, as is guaranteed by law, and wants to waive that right and make an offer to the tenant, because of the interest he accrues from that, of two per cent, one per cent or no increases for a number of years, that is a right he has.

This was argued in a case before the Supreme Court of Ontario on Friday, March 7, 1986. It was assumed that if we are given certain rights, we have the right to waive them. If I have the right to vote, I have the right not to vote and to waive my right of voting in an election or any

right that governments grant me as a free citizen. I have the freedom to waive my rights.

Apparently, on the question of an agreement between a landlord and a number of tenants, where the landlord wanted an agreement providing lifetime tenure, waiving his rights and having an agreement where he would not increase the rents by more than four per cent for five years, the court in the March 7 ruling said he could not do that because it contravenes two acts. He could not waive his rights.

4:40 p.m.

This came as a surprise, but it is a ruling. Therefore, it would make a lot of sense in this bill to address the right of tenants in affordable housing to allow a landlord, in an uncomplicated manner, to waive his rights and provide lifetime tenure. We would be unique. We would be the first jurisdiction in Canada to allow lifetime tenure, the best possible guarantee of affordable housing to tenants. We would also allow tenants, if it is in the interests of the landlord, not to give them the allowable four per cent increases. It would allow them to waive that right as well, which is guaranteed under the Residential Tenancies Act.

I appeal to the minister. If there is any way to find legislation that would provide affordable housing, guarantees and security, such amendments will do it. This amendment means that if a landlord enters into an agreement with a tenant waiving his rights to evict the tenant and guaranteeing the tenant a right to a unit in perpetuity, or waiving the right to share the annual guideline increases, that agreement between the landlord and tenant overrides any other statute. That is basically what it says.

It is argued by many, including myself, that this is a simpler alternative than the more administratively cumbersome and legally time consuming provision of Bill 11 which addresses security of tenure for the tenant. This would make it very clean and much easier by having the landlord granted the right to waive his rights.

The purpose of this amendment is ultimately to correct a defect in the Landlord and Tenant Act which, as I have said, prevents a landlord from entering into an agreement and offering greater protection to tenants.

What is important, and the minister may not realize it, is that notwithstanding Bretton Place or agreements between Clarkson Gordon and High Park tenants, this would be applicable across the board for the entire province. There may be a landlord in Kapuskasing who has a 12-plex and who wants to give a lifetime guarantee because

ne loves his tenants, or she loves her tenants. She is happy. Her tenants are seniors; they are over 65; they are great tenants. She says: "Look, I do not want to go through the hassle of the Landlord and Tenant Act. I am giving you lifetime tenure."

As I have pointed out in the amendment, that tenure would be enforceable by the tenant against not only the landlord but also the assigns and successors of the landlord, if the landlord has the freedom and the choice to waive those rights.

The last part of my amendment is something the minister himself raised with me, that if there are such agreements which offer such protection, which offer this nirvana of lifetime tenure to tenants and no increases for a number of years, what if someone starts speculating? What if the landlord who has signed such an agreement starts flipping those units? It was a genuine concern, as I pointed out in the earlier debate. Therefore, subsection 3 of my amendment says that in the issue of conversion, which may be part of an agreement between a landlord and a tenant, if more than 50 per cent of the tenants agree to convert, such agreement will freeze the flip of converted units for a period of 18 months and therefore prevent a blatant form of speculation.

Although it seems interventionist, a number of parts of this bill may be interpreted as being interventionist, and at least it would preclude and prevent speculators from moving into areas where such agreements exist.

I will not continue to argue the case; I have argued it before. I want to appeal to the minister, and I will be truly surprised if my colleagues to the left object to giving tenants lifetime guarantees. For the life of me, I cannot understand why the New Democratic Party caucus and my friends in that party, who have for years espoused protection for tenants, would object to lifetime guarantees or to giving protection even from increases guaranteed by our statutes.

In trying to understand the sensitivity of the minister and this government to tenants in affordable housing, I cannot comprehend why the minister would object to providing lifetime tenure and no increases beyond four per cent if a landlord deemed it in his interest to waive those rights.

I conclude my remarks with the hope that I have convinced the minister. He is not smiling; so perhaps I have convinced him. He is smiling now. I hope I have convinced the minister, and I hope I will have the support of the members on this amendment.

Mr. Reville: To the surprise of the member for High Park-Swansea, my party will not support this amendment.

Hon. Mr. Curling: I want to make three quick comments.

In regard to the member's first point, section 105 of the Landlord and Tenant Act makes provision for a landlord to give 50-year or 100-year leases if he wants.

In regard to the protection of increases of rent, the rent review process in Bill 51 makes provision for how rent can be increased. Again, on the other matter, we are concerned about rental properties, not ownership.

Mr. Shymko: Which section provides lifetime tenure?

Hon. Mr. Curling: Section 105. Is the member saying "lifetime tenure"?

Mr. Shymko: Yes, lifetime tenure.

Hon. Mr. Curling: It gives long-term leases. I do not know what lifetime tenure is.

Mr. Shymko: A long-term lease can be for two or three years.

Hon. Mr. Curling: Or 50 to 100 years.

Mr. Chairman: Will the members please take the floor one at a time and stand one at a time?

Mr. Shymko: Which section is that again?

Hon. Mr. Curling: Section 105.

Mr. Shymko: Of the regulations?

Hon. Mr. Curling: Of the Landlord and Tenant Act.

Mr. Shymko: Section 105 of the Landlord and Tenant Act.

I am surprised to hear from the minister that there is an act which provides lifetime tenure when the Supreme Court of Ontario says there is no lifetime tenure.

Hon. Mr. Curling: I want to correct the member. He is saying "lifetime tenure." I am saying "long-term leases."

Mr. Shymko: A long-term lease is one thing; the right of a landlord to waive rights guaranteed under an act is another thing. I do not think it is guaranteed by the act. The Supreme Court of this province has ruled that it is not guaranteed.

I want the minister to be careful. As he has pointed out, a long-term lease can be a five-year lease; that is far different from lifetime tenure. There is no guarantee of lifetime tenure. Is that what the minister is trying to say?

Hon. Mr. Curling: Let me say it again. The member is saying "lifetime tenure." I am saying "long-term lease." One can sign a lease for 50 years and one cannot be evicted during that 50 years. Or it may be for 10 years or 20 years. The

member is saying "lifetime tenure." I am saying "long-term lease."

Mr. Shymko: What bothers the minister in terms of giving the landlord the right to waive his rights? What does he find objectionable when a landlord, in his own interest, wants to waive his rights guaranteed by an act? What bothers him about that?

What bothers him when a landlord says, "I do not want to increase your rental payments by more than four per cent"? What prevents him from giving the landlord the right to waive those rights, which, according to a Supreme Court ruling, cannot be done unless addressed in some bill?

Hon. Mr. Curling: I am trying to impress upon the member for High Park-Swansea that it is unnecessary. That is what bothers me. It is unnecessary to do this.

4:50 p.m.

Mr. Shymko: It seems to be quite necessary. Some excellent agreements proposed and passed by municipalities—for instance, the city of Toronto—would have given lifetime tenure and protection from increases beyond four per cent for five years and perhaps more. These were deemed appropriate by city councils. The Supreme Court rules that they cannot be enforced because it is against the statutes.

Why does the minister adamantly refuse to provide an opportunity for these agreements? Is he against lifetime tenure? Is he against agreements where a landlord waives certain rights and gives this security on a long-term basis?

Hon. Mr. Curling: I have no further comment.

The Deputy Chairman: All those in favour of Mr. Shymko's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 2 agreed to.

On section 3:

The Deputy Chairman: Mr. Curling moves that section 3 of the bill be struck out and the following substituted therefor:

"3. This act does not apply to a rental residential property exempted by the regulations or located in a municipality that is exempted by the regulations."

Mr. Reville: I would like to move my amendment that is similar in nature to the government's amendment but adds one further feature.

The Deputy Chairman: Mr. Reville moves that section 3 of the bill be struck out and the following substituted therefor:

"3. This act does not apply to a rental residential property,

"(a) of less than three rental units;

"(b) exempted by the regulations; or

"(c) located in a municipality that is exempted by the regulations."

Mr. Reville: The difference consists of six rather significant words, "of less than three rental units." The regulations, which I hope are in the possession of all those who are interested in them, indicate that the bill does not apply if the number of units in the building is less than seven. Since a member of the Legislature has no power to deal with the regulations, I have suggested an exemption in the body of the bill to say that less than three rental units will be exempt.

The reason is that there are a great number of rental residential properties in Ontario of less than seven units, described in the regulations. In fact, there are 446,000 units that fit that description. I have had a number of discussions with the ministry and his officials about this matter, and we agree on the number of units in the category.

It strikes me that it is essential to protect affordable rental housing, however it may be collected together, in units of four or 400. My amendment would bring 79,000 further units under the controls provided by Bill 11. It is essential that we do not create two classes of tenants. Therefore, I urge the members to support this amendment.

Ms. Fish: I might begin with a technical question on the proposed amendment before I speak more generally. I am not sure to whom I can address it. When we are in committee of the whole House, may I address it to counsel, or must I address it to the minister?

The Deputy Chairman: To the minister.

Ms. Fish: I will address the technical question to the minister, and counsel can assist in the reply. Does the amendment offered by the member for Riverdale make it possible for the regulation still to exempt buildings of more than three units?

Hon. Mr. Curling: Is the member asking whether the regulation makes the provision to say how much is there? The regulation specifies six units and under.

Ms. Fish: I think the minister misunderstood. I am asking about the impact of the amendment offered by the member for Riverdale, wherein he

tates, "This act does not apply to a rental residential property, (a) of less than three rental units." That statutorily establishes an exemption of buildings with less than three residential units. Does that clause establish a minimum exemption, enabling the regulations to exempt buildings of six units, or does it establish a maximum exemption, preventing the regulations from exempting buildings larger than those containing three units?

Hon. Mr. Curling: I am advised we could not exempt the number of units of such.

Ms. Fish: Can the minister please speak a little more clearly into his microphone? I could not hear the reply.

Hon. Mr. Curling: I gather we cannot exempt numbers of units if it were put in the statute in this way. However, if it is in the regulations, we can do that. Does the member understand?

Ms. Fish: I will assume the advice is that subsection 3(a) as proposed would remove the possibility of affording any other exemption in the regulation, the basis of which is the number of rental units. I see counsel nodding that I have correctly interpreted that.

Interjections.

p.m.

Ms. Fish: Let me explain what I was trying to get at. I believe the intention of the member for Riverdale is to establish by statute that any residential building with four or more units would automatically be covered by the act. The reason I asked the question was that it seemed to me one might conceivably interpret the wording of this amendment to provide an absolute minimum guarantee that three or fewer units would not be covered, but none the less, still permit by regulation a further exemption based on the numbers of units. For example, as set by statute, that regulation could not bring into the ambit of the act residential buildings of three or fewer units, but this in no way interrupted the ability of the regulation to exempt from the ambit of the act buildings of four or five units. I was asking for an interpretation of a technical question since this wording suggests exemption rather than inclusion.

Hon. Mr. Curling: Let me explain the purpose of the act, and then we can take the technical part of it. First of all, we have tried to target those units that are most vulnerable to being attacked under those conditions. We thought the ones above six were most vulnerable to that. The member suggested we should reduce that to three, and any complex that has three or

more units would be included. We are in a position with the member's amendment to have three and above included in this act. That is how I understand his amendment.

Ms. Fish: With apologies to my colleague the member for Ottawa Centre (Ms. Gigantes), I do not feel it is so clear. I will state my rationale and reasoning. The section reads, "This act does not apply to a rental residential property, (a) of less than three units," but it goes on to say, "(b) exempted by the regulations; or (c) located in the municipality," etc.

The regulations as they are currently worded exempt residential properties of six units or fewer. It is not entirely clear to me whether that section of the regulations would be made null and void by virtue of this clause, and that is the question I am asking.

Hon. Mr. Curling: As the member said, it is a delicate question. We could exempt buildings of more than four or five or six units.

Ms. Fish: Thank you. I understand that adopting the amendment proposed by my colleague the member for Riverdale would not in itself establish a circumstance where the proposed regulations that would exempt residential buildings of four or five and six units were automatically null. It simply establishes that one can only bring into the ambit of the act buildings of fewer than three rental units by amending the legislation, whereas one can bring into the ambit of the act buildings of six, five or four units by amending the regulations.

I believe I am seeing counsel nod that my interpretation is correct. It is an important point to me, because if my interpretation is correct, it alters the effect of the amendment. That is the reason I was exploring it. Perhaps my colleague from Ottawa Centre wishes to engage this point.

Ms. Gigantes: I hesitate to join this intensely technical discussion, but surely if the regulations say one thing and the legislation says another, we are going to have to change the regulations. The government would have to do that on the passage of this amended section. Were we to pass the amendments suggested by my colleague from Riverdale, it follows that the government would then have to change its regulation. Does the minister follow me? It is quite simple.

Ms. Fish: Is the interpretation of the member for Ottawa Centre correct?

Hon. Mr. Curling: I did not understand her comment. Can she repeat it?

Ms. Gigantes: I am suggesting that we cannot have regulations that are contrary to the legisla-

tion. Having suggested to us regulations that will limit the protections provided by this legislation to those buildings which have more than six units, then on passage of the proposed amendment from my colleague the member for Riverdale, which will have this act apply to all rental units that have three units or more, the minister will simply have to change his regulations. He could not have regulations that were in contradiction to the legislation.

If we change the legislation, which is what we are proposing, the minister can either drop his regulation on this subject or he can put in a regulation that would conform with the change we are proposing.

Hon. Mr. Curling: If we go along with the member's amendment, we will change the regulation from six to three. I think that is the intent of his amendment. Whether I will agree to that is another matter, but we are debating the understanding of his amendment. He said he wanted three or more. If it is accepted, all we will have to do is reduce the regulation to three.

Mr. Reville: May I ask the minister a question?

The Deputy Chairman: You certainly may.

Hon. Mr. Scott: Dispense.

Mr. Reville: I do not want to dispense with the question; I may want to dispense with the answer. Is the minister suggesting that he is prepared to commit the government to changing the regulation to read "a rental residential property is exempt from the act if the number of units in the building, including the number of rental units, is less than three"? That would be regulation 21. Will the minister commit his government to changing the regulation as I suggest?

Hon. Mr. Curling: The section 3 that we are dealing with talks about "the rental residential property...exempted by the regulations." If we come to the regulations, I can make a recommendation to the regulation committee. I cannot commit the regulation committee to changing that.

Mr. Reville: So that I understand this, surely the regulations are within the power of the minister to establish in whatever way he wants and then recommend them to cabinet. If the minister is now saying he will reduce the number seven in regulation 21 to the number three, then I am content to withdraw my amendment. Is that what the minister is saying?

Hon. Mr. Curling: I am prepared to recommend to the regulation committee that it amend the regulation not to three but to four and above.

Mr. Grande: First, let me congratulate the minister on this clause of the act in the sense that it has been on very few occasions in this Legislature that we have been presented with regulations during the debate of a piece of legislation. This is a good way to do things, as far as I am concerned. Perhaps that is where the confusion lies at this time. We look at the regulations and look at the legislation and try to mesh the two, whereas in the ordinary course of events, regulations flow out of legislation that is passed.

5:10 p.m.

The amendment of my colleague, the member for Riverdale, states, "This act does not apply to a rental residential property...of less than three rental units." Forget about the regulations the minister has now. Should he accept this amendment, then the regulation that flows would say buildings with fewer than three units would be exempt from the law.

I have spoken with the minister on many occasions about the importance of this amendment in the inner cities, in the urban core of the city of Toronto, the city of York, the city of Scarborough or what have you, with regard to the old affordable housing stock we have in urban areas. That housing stock, by and large, or a good percentage of it, has been in triplexes and fourplexes. The member for Riverdale mentioned that even when we consider the exemption of municipalities of 25,000 in population, we are still talking about 78,000 affordable units across this province.

I came to the minister last August with the example of the Warwick tenants. Because they lived in seven fourplexes, the landlord was able to convert those units, sell shares and kick the tenants out on the street. Those tenants did not have any protection whatsoever in their security of tenure.

This law the minister is bringing in, Bill 11, is supposed to protect affordable housing. We suggest there are 78,000 affordable housing units with triplexes and fourplexes in Ontario, and from what I understand from the minister and the Premier (Mr. Peterson), the government is interested in protecting that affordable stock. Even though the minister mentioned that he would be willing to change the regulation from seven or six to four, I do not see any problem whatsoever with having it in the legislation because I think the Landlord and Tenant Act has to be changed so that tenants who live in buildings of fewer than six units have protection

There are at least three pieces of very important legislation regarding tenants' rights and tenants' ability to control their security of tenure that need to be amended so that the thousands of tenants in this province who live in those units will have protection, instead of a landlord one sunny day giving them letters, as happened in the case of Warwick. The minister is well aware of it.

The landlord came to the tenants and said: "Here it is. Here is a letter. You have two days to decide whether you want to buy your unit." In two days, those tenants had to decide whether they were willing to put down \$10,000 as a down payment to the landlord to buy their units. If not, they were out on the street. As it turned out, those tenants did go out on the street because they could not afford to buy those units.

I understand the minister is willing to protect fourplexes in the regulations. Let me put it in those terms. He is willing to protect fourplexes, but he is not willing to protect triplexes. The Federation of Metro Toronto Tenant's Associations agrees with me when it says that triplexes and fourplexes are commonly operated as rental accommodation and not as family dwellings. I can understand the need to protect or to exempt units of one and two units because they are more likely to be family dwellings, but the triplexes and fourplexes are rental accommodation, and those tenants deserve the same protection under Bill 11 as do other tenants who live in buildings that have 15, 20, 30 or 40 units.

As my friend the member for Riverdale said, we cannot establish two classes of tenants in this province. I urge the minister to accept this amendment in the legislation because, as a result, the regulations will flow from that, and close to 78,000, 79,000 or 80,000 tenants in this province are going to be thankful to us for having protected their affordable accommodation.

Hon. Mr. Curling: The member makes a very good point that in the units of seven and above, we were targeting the units that are more vulnerable. There are about 720,000 of them. We know the statistics too. I am not prepared to amend the bill as it is, but I am prepared to make a recommendation that we have four units and above in the regulations. The argument the member makes is sound, but if we go to three, we are infringing on many families who are there. An extended family may be in three units, but I will recommend in the regulations that we have four units and above.

Ms. Fish: This discussion has highlighted two things, one of which is the importance of

understanding not only what is proposed in the regulations but also the criteria the minister intends to use in establishing within his regulations questions such as why buildings would be included or why they would be exempt, on what grounds and for what reasons, and extending that, although we have not touched very much on it in the way of discussion at the moment, to questions of why municipalities or others might be exempted from the ambit of this act through the vehicle of regulations.

The other very important point the discussion raises is that of understanding how this proposed legislation would fit, among other things, with Bill 51, which has gone to committee for hearings, with the remainder of the Residential Tenancies Act and, as has already been suggested, with the Landlord and Tenant Act.

I happen to be one of those who feels it is extremely odd to have a standard that works within one act and purports to afford protection to tenants, only to find that the numerical standard of units per building is altered in another act that any reasonable person would normally believe should be read in conjunction with the first act.

There is a package of legislation, more than just one bill, that provides protection to tenants in this province. I think most tenants and members of the general public, whether they are tenants or not, normally expect that if there is a standard that deals with exemption or inclusion under the protection of an act that speaks to the number of rental units in a property, that standard will be uniform across all the pieces of legislation and will be uniform within the regulations.

5:20 p.m.

I believe there is genuine confusion in the House today on this point. I have in front of me draft legislation from the minister that clearly indicates a policy preference to exempt fewer than six units. The reply to my technical question suggested that while there might be some persuasive reason, if the member for Riverdale's amendment was passed, to amend the regulations, there is no legal requirement that they be amended to come into conformity. Then we had the minister announcing that, rather than six or fewer units being exempt, he was prepared to recommend that only four or fewer be exempt and to recommend that cabinet alter the regulations thereon.

The minister is producing in the course of this an unhappy mishmash. It is all the more a pity that this act was not called for second reading very shortly after its introduction, thereby enabling a proper examination in conjunction

with the other companion pieces and perhaps even affording an opportunity for some public hearings, so that today we would not have a plethora of uncertainty back and forth on the amendments, including the minister now apparently changing his mind about what he wants to do in the regulations.

The very importance that regulations have in this section of the bill, and in several others as well, reinforces the need to understand the basis upon which at least present recommendations are being made about the regulations. It is an important question. While I am not entirely certain I agree with the substance of the amendment from my colleague the member for Riverdale, I am very sympathetic to the intent, which is to remove from the regulations a considerable amount on dealing with the ambit and coverage of this bill and, instead of leaving it with the regulations to exempt or include, to bring rather more of the threshold into the legislation itself. It is dealt with more properly by the entire House rather than by the considerably less involving procedure of regulations.

Can the minister please tell me on what basis he initially recommended that six units or fewer would be exempt and on what basis he is now recommending that only four units or fewer be exempt?

Hon. Mr. Curling: Those units that were more vulnerable for conversions, demolitions and evictions were in buildings with seven units and above. The member for Riverdale and the member for Oakwood (Mr. Grande) made the point that there are a tremendous amount of concerns in those units too. We had a long talk.

We felt many of them are in family units and we may be affecting people and moving families out. I told them that I was not prepared at all to look at that, but to maintain it at seven and above. If the situation became necessary later, because it is in the regulations, it could be amended and that figure could change. I would have been much more insistent at maintaining it at seven and above, but after the discussion we found that four and above would be something that could be considered.

I am sorry if it sounds like a mishmash to the honourable member.

Mr. Reville: On a point of order, Mr. Chairman: To save time, seeing that the minister has committed himself to changing the regulations to read four, I will withdraw my amendment.

The Deputy Chairman: The member for Riverdale withdraws his amendment to section 3.

Shall Mr. Curling's amendment carry?

Motion agreed to.

Section 3, as amended, agreed to.

On section 4:

The Deputy Chairman: Hon. Mr. Curling moves that subsection 4(1) of the bill be struck out and the following substituted therefor:

"(1) No rental residential property, or part thereof, shall be,

"(a) demolished;

"(b) converted to a condominium, co-operative, hotel, motel, tourist home, apartment hotel or any similar use, or any other use for a purpose other than rental residential property; or

"(c) renovated or repaired if a tenant is in possession of a rental unit and vacant possession of the rental unit would be required,

"by any person unless the council of the municipality in which the property is located approves of such demolition, conversion, repair or renovation."

Mr. Reville: I want to move amendments to the amendment. I will move the first one now.

The Deputy Chairman: Mr. Reville moves that clause 4(1)(b) of the bill be amended by adding after the words "apartment hotel" the words "rooming house."

Mr. Reville: The government amendment to clause 4(1)(b) is a list of uses, and my amendment adds "rooming house" as a use to the list to ensure that conversions from rooming houses or to rooming houses will also require approval. It is for greater certainty, and I do not believe the government finds the amendment offensive. It may find it unnecessary, but I think it is necessary.

Hon. Mr. Curling: We will not support that amendment.

Ms. Fish: Can I understand why the minister will not support the amendment?

Hon. Mr. Curling: We have a task force on roomers and boarders and we feel it would be premature to make legislation on this when the task force has not made its presentation. We would rather leave that out at this moment.

Ms. Fish: May I speak to the amendment?

The Deputy Chairman: You have the floor.

Ms. Fish: I find that reasoning from the minister bizarre, particularly since his staff rationale was that there would not be a problem in a conversion to a rooming or boarding house because such conversion would require a building permit and renovation and that was already covered. The intent here is to deal not only with existing serious problems. I welcome, fo

example, the addition of apartment hotel, which I sought, but I feel we ought to be more forward-thinking about the potential that may exist for loopholes.

5:30 p.m.

While reviewing a package of protections for those who are roomers and lodgers is important, this is not to protect existing roomers and lodgers; it is to protect existing tenants where there is a notional or attempted conversion to a boarding or lodging house. As a potential conversion to an apartment hotel, the effect may be to dislocate those who are already tenants in affordable housing. We will be supporting the amendment.

Motion agreed to.

Mr. Chairman: Mr. Reville moves that clause 4(1)(c) be amended by adding after the word "required" the words "or if the rental unit has been vacant for less than one year."

Mr. Reville: The intent of this amendment is to ensure that it is difficult for a landlord to get approval for conversions merely by being successful in somehow getting rid of the tenant and keeping a unit vacant for a period of time so as not to fall within the ambit of this act. The suggestion is that if the unit is vacant for more than a year, then clearly it is not the kind of attrition we have often been concerned about. It is to provide some additional protection for tenants.

Mr. Chairman: Before we carry on, may we digress for a minute? For the convenience of the members, the members' dining room will be open from 5:30 to 7:30 this evening and the cafeteria will be open until 7:30 p.m.

Hon. Mr. Curling: I am not supporting the amendment.

Ms. Gigantes: I find it difficult to understand why the minister will not support this amendment. Will he explain?

Hon. Mr. Curling: If I understand the member's amendment, I presume that if it was vacant, a permit already would have been obtained for that unit or building. Once that individual has obtained a permit, it is not covered under the act.

Ms. Gigantes: What we are talking about is a unit where somehow the landlord has managed to get the tenant out. As the minister is well aware, that usually happens by circulating an eviction notice for which there is no legal ground. That happens regularly, as he knows. Once he has scared or harassed the tenant out of the unit by

such a procedure, he then has a vacant unit and applies for his permit.

What we are saying with this amendment is that we have to remove the incentive to the landlord to use bullying or illegal tactics to get the tenant out. I have seen it happen often, and I am sure the minister has too. The landlord then goes and asks for a building permit, which becomes legal because the premise is vacant. We have an incentive in there for landlords to get vacant possession one way or another.

Tenants are in the position where they frequently get frightened out. I recently knocked on a door and said to a lady: "My name is Evelyn Gigantes. I am canvassing. Is there anything you would like to raise with me?" She burst into tears and brought forth the paper she got that day, which illegally told her she had to vacate her premises. She believed that. She is not a rich woman; she does not go to a lawyer. She was looking in the newspaper, and that is why she started crying. As a single parent, she could not find anything she could afford for her and her family.

If we want to get around that kind of situation, we have to put in a disincentive for landlords to use that kind of process. That is what is being proposed here; this is to say, "Okay, go and apply, but nobody is going to deal with your application in less than a year." That is a clear disincentive to the landlord. He knows that if he gets rid of the tenants illegally, under false pretences or by harassment, he is not going to be able to get an application approved unless he has had that unit vacant for a year. It will help protect people who are very dependent on affordable rental housing.

Hon. Mr. Curling: I am not saying the member would not come across cases such as that. However, they are very rare. That is why we felt we should not support that amendment.

Motion agreed to.

Mr. Chairman: If I am correct, we are back to the minister's main amendment.

Mr. Reville: I have one more.

Mr. Chairman: I do not believe the chair has a copy.

Mr. Reville: Yes, you do. It is in front of the other one. It is in darker type. It is entitled "Subsection 4(1)" and adds a clause.

Mr. Chairman: Mr. Reville moves that the government motion amending subsection 4(1), as set out in the motion, be amended by (a) striking out "or" at the end of clause (b), adding "or" at the end of clause (c) and adding the

following clause, "severed under section 52 of the Planning Act, 1983;" and (b) striking out "repair or renovation" in the 15th and 16th lines and substituting therefor, "repair, renovation or severance".

Mr. Reville: This is a simple and obvious amendment to ensure that severances be required to have approval under this bill. It is important, because affordable housing is lost through severances. I understand the Minister of Municipal Affairs (Mr. Grandmaître) does not find it at all offensive to find severances in this bill.

Ms. Fish: I have a question of the member for Riverdale. I am not entirely clear how the housing is lost through severance alone. Perhaps he can enlighten me on that.

Mr. Reville: It is not a familiar problem in Toronto, but it is a quite common one in Ottawa. Row housing units that had been in rental tenure are severed off one by one and sold to become ownership units. The approvals process is a quick, easy run through the committee of adjustment.

This would require municipal approval so that in the case of an application for a severance, if there would be an adverse effect on the supply of affordable rental housing, a municipality could decline to grant severance.

5:40 p.m.

Ms. Fish: Does this severance sever a single-family dwelling from a semi-detached—

Mr. Reville: Yes.

Ms. Fish: I do not quite understand. The severance is legal, I realize; it is legally severing a unit, but I do not understand its application in and off itself, separate from renovation or repair, that would see the loss of affordable housing when the coverage is already there for units. Does it deal with rental properties of three units or fewer?

Mr. Reville: Because of declining housing stock in some municipalities, where instead of residential buildings being vertical they tend to be horizontal and one has row housing row after row, by severing them off one by one and selling them, one then takes the units out of the rental stock. The concern of the bill is to try to protect the rental stock. We do not want to leave a loophole whereby the protections envisaged by this bill can be got around through a simple severance application.

Mr. Chairman: Does the minister have any comment?

Hon. Mr. Curling: No comment.

Ms. Fish: Does the minister accept the amendment? Is that what he is saying?

Hon. Mr. Curling: I am unfamiliar with some of those situations. I would accept the amendment.

Mr. Chairman: Shall Mr. Reville's further amendment to subsection 4(1) carry?

Motion agreed to.

Mr. Chairman: Shall Mr. Curling's original amendment to subsection 4(1), as amended, carry?

Motion agreed to.

Section 4, as amended, agreed to.

On section 5:

Mr. Chairman: Mr. Curling moves that subsection 5(1) of the bill be struck out and the following substituted therefor:

"(1) No person shall sell or lease for a term of 21 years or more or enter into an agreement to sell or lease an interest or share in a co-operative or in a corporation owning or leasing any interests in a co-operative unless the approval of the council of the municipality under subsection 4(1) has first been obtained."

Motion agreed to.

Mr. Chairman: Mr. Curling moves that subsection 5(3) of the bill be struck out and the following substituted therefor:

"(3) An agreement of conveyance entered into in contravention of subsection 1 is void and any amount paid thereunder is recoverable by the purchaser."

Motion agreed to.

Mr. Chairman: Mr. Curling moves that section 5 of the bill be amended by adding thereto the following subsection:

"(4) An instrument or notice respecting the sale, lease or agreement for sale of a share or interest in a co-operative may contain a statement by the vendor that an agreement or conveyance does not contravene this section and such statement is deemed to be sufficient proof that the agreement or conveyance does not contravene this section."

Motion agreed to.

Section 5, as amended, agreed to.

On section 6:

Mr. Chairman: Mr. Curling moves that subsection 6(1) of the bill be amended by inserting after "obtained" in the fourth line "and a copy of the certificate under subsection 7(13) is attached to the notice."

Motion agreed to.

Mr. Chairman: Mr. Curling moves that subsection 6(3) of the bill be amended by inserting after "act" in the third line "notwithstanding that the notice of termination was served or application made for a writ of possession prior to the coming into force of this act."

Motion agreed to.

Section 6, as amended, agreed to.

On section 7:

Mr. Chairman: Mr. Curling moves that subsection 7(1) of the bill be amended by striking out "as may be required by the municipality for the purpose of evaluating the application or" in the third and fourth lines.

Motion agreed to.

Mr. Chairman: Mr. Curling moves that subsection 7(2) of the bill be struck out and the following substituted therefor:

"(2) Notice of the application shall be given by the applicant to each tenant of a rental unit included in the application within five days of the application being made."

Mr. Reville: The original subsection 7(2) actually required that everybody in a residential property get notice. This amendment requires that only people in affected units receive notice. I think this issue will be of interest to everybody in the building; therefore, I will vote against the amendment.

5:50 p.m.

Ms. Fish: This is conceivably a circumstance where notice might be given to some units in a building but not to other units in the building? Is that correct?

Hon. Mr. Curling: It would be given to all. It would also be posted in the building so everyone could see it.

Ms. Fish: That is not quite what I asked. I asked whether it was possible under the minister's amendment for notice to be given to some units in a building, but not to all units, if there were an intention to convert only some units.

Hon. Mr. Curling: That is right.

Ms. Fish: One more time: In a multiple-occupancy building—

Mr. Chairman: He said that was correct.

Ms. Fish: I am sorry. I thought he was asking again.

Mr. Chairman: He said, "That is right."

Ms. Fish: I see. We will vote against the amendment if that is the case. If we could figure out what was meant here, it would be helpful. Let

me make clear that where there is a multiple-occupancy building that may have the whole or any part thereof affected by an application, it is the view on this side of the House that the complex is a single complex and that all those contained in it should receive notice of the application.

I am hard pressed to find a circumstance where the part of a multiple-occupancy building to be converted would not likely have an effect on the parts not to be converted. It is perfectly appropriate that notice be given to the entire building. I liken it to a notice that might be given for rent review.

Hon. Mr. Curling: I have no problem with notice being given to all.

Ms. Fish: Then may I ask why the minister brought in this amendment?

Hon. Mr. Curling: The reason is that if one is selling one unit in a building, we thought it was rather unnecessary to tell everyone. The member is saying now that she would like them all to be informed. I thought it would be an extra hardship on an individual to give it to all. That is the only reason it was done this way.

Ms. Fish: Perhaps the minister will consider withdrawing his amendment and relying on subsection 7(2) as printed in the bill.

Hon. Mr. Curling: I withdraw the amendment.

Mr. Chairman: The minister has withdrawn his amendment to subsection 7(2).

Mr. Curling moves that section 7 of the bill be amended by adding thereto the following subsection:

"(3a) For the purposes of an inspection under subsection (3), a person authorized to inspect a rental unit has the right to enter the rental unit during daylight hours upon written notice to the tenant specifying the time of entry at least 24 hours before the time of entry, and a tenant shall permit the entry of such person during that time."

Ms. Fish: Since I do not have the act in front of me and my memory is not good enough, is this the provision for entry specified in the Landlord and Tenant Act?

Hon. Mr. Curling: It is based on it.

Ms. Fish: In what way is it distinguished from it?

Hon. Mr. Curling: Does the member want me to get the act and make a comparison?

Ms. Fish: It seems to me there is a standard protection for tenants on entry into their units that is provided in the Landlord and Tenant Act. If

this act wants to repeat that, it is fine. If it changes it, I am interested in knowing why it is being changed.

Hon. Mr. Curling: I am advised that we had to put it in because the words in the first line, "For the purposes of an inspection under subsection 3," had to be inserted. That is why it is different from the act.

Ms. Fish: Is it simply for qualification of the purpose of entry?

Hon. Mr. Curling: Yes.

Motion agreed to.

Mr. Chairman: Mr. Curling moves that subsection 7(5) of the bill be struck out and the following substituted therefor:

"(5) The council may approve the application with or without such conditions as in its opinion are reasonable or reject the application but council shall not approve the application unless such criteria as are prescribed by the regulations are met."

Motion agreed to.

Mr. Chairman: We have an amendment from the minister to subsection 7(10), but we also have an amendment to subsection 7(10) from the member for St. George. The minister's amendments would delete subsections 7(10), (11) and (12).

We have a problem. The minister's amendment to subsection 7(10) stands by itself, and the one from the member for St. George has three amendments. Let us take the minister's amendment to subsection 7(10) first because it is striking it out and putting in a new one.

Mr. Curling moves that subsection 7(10) of the bill be struck out and the following substituted therefor:

"(10) Where the council refuses or neglects to make a decision on the application filed in accordance with this act within 30 days after the receipt by the clerk of the municipality of the application, the applicant may appeal to the Ontario Municipal Board by filing with the clerk of the municipality a notice of appeal."

6 p.m.

Ms. Fish: I will speak to this now because, with all respect to the Chairman, it might have been simpler to have taken my amendments first. None the less, I rise to speak in opposition to the amendment for the reason I hope to move my amendments shortly. If one is to have an appeal to the OMB, then we have no objection to this amendment. However, we would prefer to see the authority of consideration and approval rest

with the municipality and not have an appeal to the OMB or, from that, an appeal to the cabinet.

We take that position based on the premise that we are dealing with local housing markets that intimately affect the futures of people within municipalities, where the impact of an approval or of a disallowance can be and, we believe, is best known, best weighed and best judged by those most familiar with the local conditions. We believe those most familiar with the local conditions are those who are elected to the local councils, who are responsible, at the same time, for the issues of public works, zoning and the variety of other responsibilities they discharge under the Planning Act, as well as the package of initiatives that might be taken to look at the social fabric and mix of a community.

I note, for example, the impact of things such as the Housing Development Act, which looks to the municipalities for the possibility of the development of nonprofit housing; again a reliance, in part, on the theme that we are dealing with local conditions and that those at the local level are best able to understand the needs. It is within the frame of wanting to re-establish, if one will, the importance of the municipal level, the importance of placing the responsibility for the package of decisions surrounding the availability of housing, particularly affordable housing, with the municipal council, that we will move to delete the references to appeals to the Ontario Municipal Board. With that in mind, we will vote against this amendment which contemplates and provides for a move to the Ontario Municipal Board.

Hon. Mr. Curling: Having known of the honourable member's concern for some time, I know she wants an appeal process in this act. If I understand the member properly, she is saying she is not going for an appeal process. This amendment gives the individual the right to appeal it beyond the municipality.

Mr. Chairman: Shall Mr. Curling's amendment to subsection 7(10) carry?

Motion agreed to.

Mr. Chairman: Next is an amendment by Ms. Fish to subsections 7(10), (11) and (12). Does anyone wish those three subsections separated? It is quite possible to be in favour of one and against the others or vice versa.

Ms. Fish moves that subsections 7(10), (11) and (12) of the bill be deleted.

Ms. Fish: I will speak briefly. This amendment is part of a package of amendments I propose to table. If successful, they will, as I said

a moment ago in the context of the minister's amendment, place the responsibility for the entire question of conversions, renovations, demolition control, all that is contemplated in this bill, squarely with the municipality. The step to delegate responsibility from the provincial level to the municipal level is a direction we feel is important.

I remind the minister and the members that direction had been taken under the more narrowly focused condominium conversion policy, which had been in place and which this will expand and ultimately replace. The authority to be exercised by the Minister of Municipal Affairs or the Minister of Housing—I am not sure who exercises it—was delegated down to the regions, which took advice on the matter from the local municipalities.

That approach again recognized that housing markets vary dramatically across the province and that local conditions change. Municipalities are in the front line of understanding the pressures on the people in their area and in appreciating what is happening to affordable housing within their market area. They are the keys to the determinants on whether that affordable housing will be retained or expanded, or what other housing or development will occur.

Briefly, because I do not think it is necessary to speak at length on this, that is the reason for this set of amendments. I will add briefly, because I will not then speak on the others, that the same reasoning applies to the amendments I hope to introduce to delete the appeal to cabinet. Cabinet sits centrally here in Toronto, at a considerable distance from the local conditions.

My government had moved to reduce as much as possible the practice of appealing local decisions to cabinet. It pushed to delegate downwards the responsibility for decisions so that it would be perfectly clear that no municipal councillor and no municipal council could shrug off their prime responsibility for the people in their areas by simply having in mind that a decision, which on occasion might be a difficult one, could readily be appealed or removed from them to the Ontario Municipal Board and, as this act contemplates, later to cabinet.

Our view is that the municipal councils should be responsible and should have the capability of being responsible. We believe these amendments will give them the responsibility that is appropriate.

Mr. Chairman: Ms. Fish has moved that subsections 7(10), 7(11) and 7(12) of the bill be deleted.

Shall the amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr. Chairman: Mr. Curling moves that subsection 7(11) be struck out and the following substituted therefor:

"(11) Any person who is not satisfied with the decision of council may, not later than 20 days after the date of the decision, appeal to the Ontario Municipal Board by filing with the clerk of the municipality a notice of appeal setting out the objection to the decision and the reasons in support of the objection."

Does the minister wish to comment?

Hon. Mr. Curling: I have no comment.

Mr. Chairman: Shall Mr. Curling's amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Mr. Chairman: Mr. Curling moves that section 7 of the bill be amended by adding thereto the following subsection:

"(11a) If an application respecting a matter set out in sections 4 or 5 has been made to the Ontario Municipal Board prior to the coming into force of this act, this act applies unless the board has issued its decision."

Does the minister have any comments?

Hon. Mr. Curling: No.

Motion agreed to.

6:10 p.m.

Mr. Chairman: Mr. Curling moves that subsection 7(12) of the bill be struck out and the following substituted therefor:

"(12) The clerk of the municipality, upon receipt of a notice of appeal under subsection 10 or 11, shall compile a record and forward the notice of appeal and the record to the secretary of the board and shall provide such information or material as the board may require in respect of the appeal."

All those in favour of Hon. Mr. Curling's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Mr. Chairman: Mr. Curling moves that section 7 of the bill be amended by adding thereto the following subsection:

“(12a) The board shall hold a hearing and has the same authority as the council under subsection (5), but if all appeals have been withdrawn prior to the hearing, the decision of the council is final and binding and the secretary of the board shall notify the clerk of the municipality who in turn shall notify the applicant.”

Shall Mr. Curling's amendment carry?

Motion agreed to.

Mr. Chairman: Mr. Curling moves that subsection 7(13) of the bill be amended by inserting after “given” in the seventh line “and that the provisions of this act leading to the approval have been complied with, and after the certificate has been given no action may be maintained to question the validity of the approval, but where a condition has been imposed, the certificate shall not be given until the council is satisfied that the condition has been fulfilled.”

Shall Mr. Curling's amendment carry?

Motion agreed to.

Ms. Fish: I hesitate; I am going to get a logical inconsistency here.

I have an alternative amendment, which has been filed, which moves that subsection 7(13) be amended by deleting “or the Lieutenant Governor in Council, as the case may be,” in the second and third lines.

There should be an alternative amendment in front of members. There was one to delete both “Ontario Municipal Board” and “Lieutenant Governor in Council.” Obviously, that would be insensible, given where we are with the bill now.

Mr. Chairman: That is right.

Ms. Fish: I will simply move the amendment that deletes reference to the Lieutenant Governor in Council.

Mr. Chairman: Ms. Fish moves that subsection 7(13) be amended by inserting after “municipality” in the second line “or” and by deleting “or the Lieutenant Governor in Council” in the second and third lines.

Ms. Fish: This is in keeping with the principle I elaborated on earlier. I will not take the committee's time to review it, save to say we are saddened that there is an attempt to centralize in the cabinet decisions affecting local housing markets. We believe that should be pushed back to the municipality. Since that has not been accepted and there is a requirement of approval by the Ontario Municipal Board, we believe that at a minimum the pattern established by the previous government to reduce appeals from the

municipal board to cabinet ought to be maintained in this legislation.

The Deputy Chairman: All those in favour of Ms. Fish's amendment will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

Ms. Fish: I move that subsections 7(14) and (15) of the bill be deleted.

Mr. Wildman: That is out of order.

Ms. Fish: Actually, it is.

Mr. McClellan: You cannot move a deletion. You vote against the section, do you not?

Ms. Fish: Have we voted to adopt subsection 7(13), which has to be dealt with before we go on to subsection 7(14)?

Mr. Reville: Did we not carry an amendment to subsection 7(13)?

Ms. Fish: Subsection 7(13), as amended, has to be adopted, does it not?

Mr. Reville: We adopted the amendment. Let us get it moved as amended.

The Deputy Chairman: Shall subsection 7(13), as amended, carry? Carried.

Ms. Fish: To move the motion to delete the reference to Lieutenant Governor in Council while subsection 7(13) retains reference to a decision of the Lieutenant Governor in Council would create an intolerable circumstance for the bill. I, therefore, assume that the will of the House is that there continue to be appeals to cabinet, notwithstanding the objection of my party, and I will not proceed with the amendment.

The Deputy Chairman: Mr. Curling moves that subsection 7(14) of the bill be amended by striking out “order or” in the third line, in the sixth line and in the 12th line.

Motion agreed to.

The Deputy Chairman: Shall subsection 7(14), as amended, carry? Carried.

Section 7, as amended, agreed to.

Section 8 agreed to.

6:20 p.m.

On section 9:

The Deputy Chairman: Mr. Curling moves that clause 9(a) of the bill be struck out and the following substituted therefor:

“(a) exempting a municipality, or part thereof, from this act.”

Motion agreed to.

The Deputy Chairman: Mr. Curling moves that clause 9(b) of the bill be struck out and the following substituted therefor:

“(b) exempting rental units or rental residential properties, or categories thereof, from this act.”

Motion agreed to.

The Deputy Chairman: Hon. Mr. Curling moves that clause 9(c) of the bill be amended by inserting after “granted” in the second line “or refused.”

Mr. Reville: Mr. Chairman, the train was going down the track, but there is an amendment to the government amendment.

The Deputy Chairman: Mr. Reville moves that clause 9(c) of the bill be struck out and the following substituted therefor:

“(c) prescribing the criteria upon which approval may be granted by a municipality under subsection 4(1), provided that one criterion relates to adverse effects on the supply of affordable rental housing and that such criterion prohibits approval of an application in a municipality where the vacancy rate is less than four per cent.”

Mr. Reville: Very briefly, the operative part of this bill is the criteria upon which a municipal council and the Ontario Municipal Board would make their decision. The criteria are contained in the regulations. Regulation 7.(1)4 speaks about the supply of affordable rental housing and an adverse effect the granting of approval under this bill would cause.

It strikes me that unless one connects that criterion with some observable, measurable, scientific criterion, such as the vacancy rate, it is a worthless criterion and unworthy of the minister. Therefore, my amendment should be adopted forthwith.

The Deputy Chairman: All those in favour of Mr. Reville's amendment will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

Hon. Mr. Nixon: There is some time left for this bill. I move that the committee rise and report.

On motion by Hon. Mr. Nixon, the committee of the whole House reported progress.

ADJOURNMENT OF HOUSE

Mr. Speaker: Mr. Nixon moves that the House continue sitting no longer than 7:30 p.m.

Mr. Andrewes: I have a brief comment on that. We are in agreement with the motion. It is

my understanding that we will complete Bill 11, give second reading to Bills 111 and 95 and then a number of third readings. That will complete this.

Hon. Mr. Nixon: That is correct.

Motion agreed to.

House in committee of the whole.

RENTAL HOUSING PROTECTION ACT (continued)

Consideration of Bill 11, An Act respecting the Protection of Rental Housing.

On section 9:

The Deputy Chairman: Mr. Curling has moved that clause 9(c) of the bill be amended by inserting after “granted” in the second line “or refused”.

Motion agreed to.

The Deputy Chairman: Mr. Curling moves that section 9 of the bill be amended by adding thereto the following clause:

“(h) exempting sales of co-operative units, or any category thereof, from any of the provisions of the act.”

Motion agreed to.

Section 9, as amended, agreed to.

6:30 p.m.

On section 10:

Mr. Chairman: Mr. Curling moves that subsection 10(1) of the bill be struck out and the following substituted therefor:

“(1) If all permits required under the Building Code Act and the Planning Act, 1983, for demolition, renovation or repair have been obtained prior to the coming into force of this act, the approval of the council under subsection 4(1) is not required and section 6 does not apply.”

Mr. Reville moves that subsection 10(1) of the bill be amended by adding after the words “have been obtained” the words “and the landlord has vacant possession.”

Mr. Reville: This is an amendment that addresses the concerns of transitional buildings which because of the delay of the bill are facing conversion, demolition or loss of housing, where the landlord has been able to get a writ of possession. This extends the protection for them.

Ms. Fish: Is the minister supporting this amendment?

Hon. Mr. Curling: No, I am not.

Ms. Gigantes: I want to draw to the minister's attention the problem he is going to create unless he agrees to the amendment presented by the

member for Riverdale. There are some buildings, one of them very well known to him, 180 MacLaren Street in Ottawa, where the landlord has succeeded in getting a building permit. He does not yet have vacant possession, but he has building permits for renovations of some units and he will be looking for changes before the committee of adjustment dealing with other units.

The second category of units, once this legislation is in application, will not be turned from the affordable rental units they are now into the apartment-hotel units the landlord wishes to make them. In the meantime, he has managed to obtain a building permit that will convert two-bedroom units in some parts of the building into one-bedroom units for the purpose of use as apartment-hotel units. The minister is very well aware of that situation.

Unless we specify in an amendment such as the one put forward by the member for Riverdale that we want the building to be treated as a whole, we will create two kinds of units, not only within the legislation but also within one building. The building will be partly an affordable rental building and partly one where the landlord now has a building permit to change the nature of the units, increase the number of the units and turn them into use as apartment-hotel units.

That is the existing situation, and unless we have some amendment of this nature, we will have a building that is half converted and half not. Surely, it is our objective to maintain the whole building at this stage when the landlord does not have vacant possession.

Hon. Mr. Curling: The amendment here deals with the individual who has municipal approval already. We tried to make it fair for both sides, and it would be unfair to institute something after they have their permits.

The Deputy Chairman: All those in favour of Mr. Reville's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Curling has moved an amendment to subsection 10(1). Shall the motion carry?

Motion agreed to.

The Deputy Chairman: Mr. Curling moves that subsection 10(2) of the bill be amended by inserting after "act" in the second line, "or the Ontario Municipal Board has issued a decision approving an application for conversion."

Motion agreed to.

The Deputy Chairman: Mr. Curling moves that subsection 10(3) of the bill be struck out.

Ms. Fish: Why does the minister want to strike out that section?

Hon. Mr. Curling: It is inconsistent with the rest of the bill.

6:40 p.m.

Ms. Fish: Perhaps the minister could take a brief moment to explain how retaining subsection 10(3) creates an inconsistency that is a problem.

Let me take a brief moment to explain why I am a little troubled by the deletion and why I want to understand its effect. My concern stems from an interpretation that has been suggested to me, and I do not know whether it is accurate or reasonable. I hope the minister can help me.

If subsection 10(3) is deleted and there is a building where the existing tenants are in the process of buying co-operative shares in the building—in other words, not an external co-ownership but an internal one—the deletion would have the effect of removing the opportunity of proceeding from anyone other than the developer applying to convert the building to co-operative form.

As I say, that interpretation may be wrong. However, the suggestion was that maintaining subsection 10(3), with its reference to "the application of an interested person," would maintain the opportunity for those tenants, among others, who may have already purchased or contributed to the co-operative, to make application.

I would appreciate understanding from the minister whether that interpretation is right or wrong and what form of protection without this section the bill might provide to co-operative tenants who are part-way through a conversion.

Hon. Mr. Curling: It was felt that the subsection should be deleted because the municipal bylaw under this subsection would not subject it to an OMB appeal. It was also felt that the municipality would be permitted, under the regulation, to approve completion of conversion where it felt severe hardship would result from refusal of that condominium conversion.

Ms. Fish: Can the minister direct me to the proper clause in the regulation that does that? In doing so, will he share with me the trigger for that consideration? Can the trigger be a tenant who is part of a co-op part-way through conversion?

Hon. Mr. Curling: I refer the member to regulation 7.(1)2.

Ms. Fish: Can the minister tell me what the trigger is on that consideration? Subsection 10(3) of the bill indicates, "upon the application of an interested person." I have indicated the area of my concern, which is to protect those tenants who may already have purchased into the co-op from being able to make the application, not just the developer.

Hon. Mr. Curling: The trigger is any application to sell any unit.

Ms. Fish: I am sorry for seeming to ask the question several times, but I am having trouble getting an answer. I want to make it as simple as I can.

Is there any limit on who may make the application? It appears to me that regulation 7.(1)2 contemplates an application from the developer proposing the conversion. I and my party wish to be certain that we can afford an opportunity for tenants to make application and to be the trigger for that consideration.

Hon. Mr. Curling: I understand that the application of anyone who wants to sell the condominium unit can do that. A co-op unit can trigger that decision.

Ms. Fish: Therefore, the phrase "of an interested person" in subsection 10(3) of the bill would be as broad as what is contemplated in the regulations under section 7.(1)2. Is that correct?

Hon. Mr. Curling: If I understand the member properly, we are saying it has to be in the context of a sale. That is what we are trying to get across to her.

Ms. Fish: It is in the context contemplated by subsection 10(3), which provides for an application of an interested person in dealing with the shares of a co-operative.

I understood the minister to say he wants to delete that section in its entirety because he feels it is amply covered in the regulations. When I turn to the regulations, I do not quickly and readily find the wording that would appear to provide for the application of an interested person. Because I cannot find that and because of the timing of dealing with all this, I am asking the minister rather than wading through all the regulations.

I made the conclusion that the application is as contemplated generally in the regulations, which is not by any interested person but rather by the proponent of the scheme. That would trouble me. I hope the minister will establish the trigger as being any interested person, which would enable the tenant who might have purchased a co-

operative share in a partially converted building to make application to the council.

Hon. Mr. Curling: We are actually agreeing. I wonder whether the member has the right regulation in the sense of the right page. Perhaps I can read 7.(1)2: "In the case of a sale of a share or interest in the co-operative, in the opinion of council undue hardship could result for a person who had previously purchased an interest and who has a right to present or future exclusive possession of the unit." That is it. Is the member with me?

Ms. Fish: I have it in front of me and I am reading it. The wording is different for an obvious reason: a different thing is being dealt with. I was asking for an opinion about the effect of substituting one for the other.

I will take the minister's word if he offers the assurance that the effect of the opportunity to apply in subsection 10(3) of "an interested person" is maintained in the regulation he cites, notwithstanding the deletion of subsection 10(3). If that is maintained, we have no objection to the deletion.

We feel strongly that the opportunity contemplated under subsection 10(3) for interested persons to apply should be maintained in the regulations, and we ask that the minister undertake to ensure this is the case.

Hon. Mr. Curling: The member has my word that the protection is there.

Motion agreed to.

Section 10 as amended, agreed to.

On section 11:

The Deputy Chairman: Hon. Mr. Curling moves that section 11 of the bill be struck out and the following substituted therefor:

"11. Every person who contravenes section 4 or 5 or subsection 6(1) and every director or officer of a corporation who authorized, permitted or acquiesced in the contravention of section 4 or 5 or subsection 6(1) by the corporation is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both."

Motion agreed to.

6:50 p.m.

The Deputy Chairman: Ms. Fish moves that Bill 11 be amended thereto by adding the following section:

"11a. Where on or before May 5, 1986, approval and conditions have been granted by an area municipality under regulations made under

the Planning Act, 1983, in respect of a conversion to a condominium, the Minister of Housing shall approve any application for approval or exemption of a description subject to the conditions approved by the area municipality."

Ms. Fish: This new section is really by way of dealing with coverage in transition. The section is limited to those proposals that had received final approval, complete with conditions, by the municipality on or before May 5. It does not grandfather any applications that did not receive their final approval; that is to say, it does not cover any applications that may have received an approval in principle, may have been referred back for further study, may have any conditions under analysis by a committee or whatever. They must have received their full and complete approval with conditions attached and be discharged from the municipal level in their entirety on or before May 5.

Mr. Reville: What does this do?

Ms. Fish: It provides for just those applications for conversion that had completed all of their municipal approval on or before May 5 and were awaiting only the delegated approval from the minister. It will not cover any application that was still in process at the municipal level at that time. It will not cover, therefore, anything that had been approved in principle but not finally, that had been approved in a preliminary way but referred back for further study or any other such halfway measure. It will be for only those that had been dealt with in their entirety and finally by the municipal council on or before May 5; in other words, not something that was hanging, in so far as the municipal council was concerned, on May 5, 1986.

The Deputy Chairman: All those in favour of Ms. Fish's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Curling moves that the bill be amended by adding thereto the following subsection:

"11a(1) Subsection 47(1) of the Land Titles Act, being chapter 230 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following paragraph:

"14. The provision of section 5 of the Rental Housing Protection Act, 1986.

(2) Paragraph 14 of subsection 47(1) of the said act, as made by subsection (1), is repealed on the 30th day of June 1988."

Motion agreed to.

Section 11, as amended, agreed to.

On section 12:

The Deputy Chairman: Mr. Reville moves—

An hon. member: Carried.

Mr. Reville: Did someone say carried? Thanks very much.

The Deputy Chairman: Mr. Reville moves that section 12 of the bill be struck out and the following substituted therefor:

"This act, except subsection 11a(2), is repealed on the 30th day of June 1988, or on the day an act whose purpose is to further protect rental housing receives royal assent, whichever day comes later."

Mr. Reville: I put that amendment in there to make it all nice. I have a very short speech on this matter. I do not have any objection to the government replacing this bill with a bill that has protection of rental housing as its intention, but I very much worry that if the bill sunsets out, the problem will not be solved. Therefore, I hope members will support this. What is that? The Treasurer (Mr. Nixon) said he would support it; is that correct?

Ms. Fish: Is the minister accepting this amendment?

Hon. Mr. Curling: No.

The Deputy Chairman: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Curling moves that section 12 of the bill be struck out and the following substituted therefor:

"This act, except subsection 11a(2), is repealed on the 30th day of June 1988."

Motion agreed to.

Mr. Reville: Mr. Chairman, on a point of order: For the record, how did you hear the vote on my amendment? Did you hear it carried or did you hear it lost?

The Deputy Chairman: Yours was lost.

Mr. Reville: Would it be too much to ask to have the vote again?

The Deputy Chairman: It was unanimously—

Mr. Reville: I am sorry; I am misinformed. I withdraw the whole thing.

Section 12, as amended, agreed to.

On section 13:

The Deputy Chairman: Mr. Reville moves that section 13 of the bill be struck out and the following substituted therefor:

"This act comes into force on the 22nd day of April 1986."

Mr. Reville: The intention of the amendment should be obvious. It makes the bill retroactive and protects rental housing.

Ms. Fish: What is the minister's position on this amendment?

Hon. Mr. Curling: I am not supporting that.
7 p.m.

The Deputy Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 13 agreed to.

Section 14 agreed to.

The Deputy Chairman: Shall the bill, as amended, be reported?

Hon. Mr. Nixon: I am informed by legislative counsel that the amendment to section 4(1)c that was accepted by the House is grammatically incomprehensible. With the consent of the House, we would like that section reopened for brief review.

Mr. Wildman: Is it the wording or the intent?

Mr. Reville: I thought it was appropriate to move an incomprehensible amendment to make it compatible with the rest of the bill.

Hon. Mr. Nixon: I am informed that the minister would like to review that section, but we can do so only with the consent of the House. The consent is not forthcoming.

The Deputy Chairman: Is there unanimous consent? No.

On motion by Hon. Mr. Nixon, the committee of the whole House reported one bill with certain amendments.

FAMILY LAW AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 111, An Act to amend the Family Law Act.

Hon. Mr. Scott: I have a lengthy opening statement to make on the subject of this bill.

Some hon. members: Dispense.

Hon. Mr. Scott: Agreed, dispense?

As I made many of the remarks when I introduced the bill a few short days ago, I am confident the purpose of the bill and those

remarks are still ringing in members' ears. I am delighted to record the co-operation of my critics in both parties, which I understand has led to support for this modification of the original act.

Mr. O'Connor: I confirm that our party is content that this matter pass on second reading. The amendments are housekeeping amendments to Bill 1, the Family Law Act recently passed by the House in all its stages. These matters perhaps should have been caught, amended and dealt with at the committee stage of dealing with Bill 1. However, after some comment and representation by certain lawyers and segments of the insurance community, it is deemed wise and appropriate at this point to amend several sections to assist better the distribution of insurance proceeds, particularly to widows. Therefore, we are quite content that the matter pass all the stages today.

Ms. Gigantes: We too will be supporting the passage of this bill as quickly as possible. Let me just say I think the reason we have this bill before us may speak more to the bad faith of insurance companies in Ontario than it does to any failure of our standing committee on administration of justice in dealing with Bill 1.

I suggest to the minister it is kind of him to say we are co-operative: in fact, we urged him forward on this. We are grateful to have the amendments, which will provide justice for the spouses of deceased persons.

Motion agreed to.

Bill ordered for third reading.

METROPOLITAN TORONTO POLICE FORCE COMPLAINTS AMENDMENT ACT

Hon. Mr. Scott moved second reading of Bill 95, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984.

Hon. Mr. Scott: I introduced this bill earlier. I remind members of the House that it is a bill designed to permit appointments to be made to effect the quasi-judicial determinations required under the police complaint process in Metropolitan Toronto in the event that any participant of the process fails to make the joint written submission by way of appointment, a case which has actually occurred in Metropolitan Toronto.

I want to thank members for their ungrudging support. Allow me to say in advance that if they wish to take credit for this, as they take credit for the previous bill, I would be delighted to have them do so.

Mr. O'Connor: In that event, I would be glad to take credit for this bill. I can confirm that our

party is quite content that this matter, which again is a housekeeping matter, be passed in all its stages today.

Ms. Gigantes: We too support this bill. We refuse to take any credit for it.

Motion agreed to.

Bill ordered for third reading.

Hon. Mr. Nixon: Mr. Speaker, if I may, I would like to call order 61 in Orders and Notices. This is by agreement of the House leaders.

REPORT, STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY (continued)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the report of the standing committee on the Legislative Assembly on simultaneous interpretation.

Hon. Mr. Nixon: Mr. Speaker, you are aware that plans are being made under the auspices of the Board of Internal Economy, the board which you chair, for substantial renovations to this chamber, including improvement of the television facilities.

In passing, I want to say to the gentlemen who have been responsible for the great television coverage—and I do not mean the members of the Legislature, but the people running the cameras—how much we appreciate their assiduity in this matter. In addition to the money we are paying them, they have had the opportunity to hear some of the best speeches anywhere at any time.

It is hoped that simultaneous translation facilities may well be installed during the renovations, but this is the responsibility of the Board of Internal Economy. The order I have called is a response of this House to the recommendation made by the all-party committee calling for the inclusion of simultaneous interpretation in the renovations that are considered. I hope the House will support this report.

Motion agreed to.

Hon. Mr. Nixon: Mr. Speaker, I ask unanimous consent to revert to motions.

Agreed to.

MOTIONS

Hon. Mr. Nixon: Copies of a number of interesting motions have been circulated. I am not sure every member has them, but I think there are enough so there would be general agreement that information is available to all parties.

7:10 p.m.

COMMITTEE BUSINESS

Hon. Mr. Nixon moved that the following standing and select committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly, to examine and inquire into the following matters:

Select committee on economic affairs, to consider the implications to Ontario of bilateral trade. The committee shall have authority to adjourn from place to place in North America.

Select committee on health, to consider the role of the commercial, for-profit sector of health and social service, and to recommend what role the commercial, for-profit sector should play in the provision of human services in Ontario; that an interim report of the committee be submitted to the assembly not later than six months after the committee begins meeting and that a final report be submitted to the assembly not later than one year after the committee begins meeting; that such transcripts of the committee's proceedings be provided by the Hansard reporting service as may be ordered by the committee; and that the committee report to the assembly on the following specific areas of investigation:

Current and future provision of human services by the commercial sector, appropriate models for provision of specific human services, and mechanisms for public accountability, including access to appropriate information on enforcement of standards and other matters deemed appropriate.

Further, the select committee shall collect relevant data by, (1) requiring the ministries and departments engaged in service provision in the specified fields to report to the select committee; (2) surveying approaches and experiences of other jurisdictions; (3) preparing and tabling background information and preliminary analysis of the data bank, including information on the structure, regulatory mechanisms, funding and government expenditures, current government policies and future plans, and effects on quality, accessibility and staffing. Preliminary analysis shall include appropriate trend analysis and identification of key policy questions; and (4) soliciting feedback, advice and additional information through (a) public hearings and (b) testimony of expert witnesses.

Standing committee on administration of justice, to consider Bill 105, An Act to provide Pay Equity for Employees in Predominantly Female Groups of Jobs in the Public Service.

Standing committee on finance and economic affairs, to consider the issue of corporate concentration and takeover activity as it relates to Ontario and to report its recommendations for an appropriate Ontario response to the Legislature by October 31, 1986. The committee shall have the authority to adjourn from place to place in Canada.

Standing committee on general government, to review and report on the School Boards and Teachers Collective Negotiations Act, RSO 1980, chapter 464, and to consider Bill 71, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places.

Standing committee on government agencies, to review the operation of agencies, boards and commissions of the government of Ontario. The committee shall have authority to adjourn from place to place in North America, subject to the approval of the Board of Internal Economy.

Standing committee on the Legislative Assembly, to consider the compliance with the conflict of interest guidelines by René Fontaine; the rules and procedures of the House; Bill 34, An Act to provide for Freedom of Information and Protection of Individual Privacy; and the estimates of the office of the chief election officer.

The committee shall also consider the matter of the appointment of the Clerk of the House in accordance with recommendation 18 contained in the report of the standing committee now before the House; that the committee be authorized to release its report on the new Clerk of the House during the adjournment by depositing a copy of the report with the Clerk of the House; and that upon the release of the report of the committee on the new Clerk of the House, the Speaker shall transmit the name of the successful candidate to the Lieutenant Governor in Council for appointment, subject to such terms and conditions as the Lieutenant Governor in Council may determine.

The assembly doth command and compel attendance before the said committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations, for which the Speaker may issue his warrant pursuant to subsection 35(2) of the Legislative Assembly Act. The committee shall have authority to adjourn from place to place in North America.

Standing committee on the Ombudsman, to consider the annual report of the Ombudsman of

Ontario for the year ending March 31, 1986, and the estimates of the Office of the Ombudsman.

Standing committee on public accounts, to consider the annual reports of the Provincial Auditor for the fiscal years ended March 31, 1984, and March 31, 1985, the matter of the domed stadium financing, the annual report of the Ministry of Transportation and Communications for the fiscal year ending March 31, 1985, the alleged conflict of interest concerning the member for Oriole (Ms. Caplan) and the estimates of the Office of the Provincial Auditor.

The assembly doth command and compel attendance before the said committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations, for which the Speaker may issue his warrant pursuant to subsection 35(2) of the Legislative Assembly Act.

Standing committee on resources development, to consider Bill 51, An Act to provide for the Regulation of Rents Charged for Rental Units in Residential Complexes, and the 1985 annual report of the Workers' Compensation Board, in accordance with subsection 85(2) of the Workers' Compensation Act, following the tabling of the report with the Clerk of the Assembly. The proceedings of the committee on the annual report shall be transcribed by the Hansard reporting service and appended to the debates of the House.

Motion agreed to.

COMMITTEE REPORTS

Hon. Mr. Nixon moved that standing and select committees be authorized to release their reports during the summer adjournment by depositing a copy of any report with the Clerk of the assembly, and upon the resumption of the sittings of the House, the chairmen of such committees shall bring any such reports before the House in accordance with the standing orders.

Motion agreed to.

COMMITTEE SITTINGS

Hon. Mr. Nixon moved that, with the agreement of the House leaders and whips of each party, committees may meet during the summer adjournment at times other than those specified in the schedule tabled with the Clerk today.

Motion agreed to.

COMMITTEE MEMBERSHIP

Hon. Mr. Nixon moved that the membership on the standing and select committees be as follows:

Select committee on economic affairs: Mr. D. R. Cooke, chairman; Mr. Barlow, Mrs. Caplan, Messrs. Cordiano, Ferraro, Mackenzie, McFadden, McGuigan, Morin-Strom, Miss Stephenson and Mr. Taylor.

Select committee on health: Mr. Callahan, chairman; Messrs. Andrewes, Baetz, D. S. Cooke, R. F. Johnston, Poirier, Polsinelli, Reycraft, Sargent, Miss Stephenson and Mr. Turner.

Standing committee on administration of justice: Messrs. Brandt, Charlton, Ms. Fish, Ms. Gigantes, Ms. Hart, Messrs. O'Connor, Offer, Partington, Polsinelli, D. W. Smith and Villeneuve.

Standing committee on finance and economic affairs: Messrs. Ashe, Barlow, D. R. Cooke, Ferraro, Foulds, Haggerty, Henderson, Mackenzie, McFadden, Miss Stephenson and Mr. Ward.

Standing committee on general government: Mr. Allen, Ms. Bryden, Messrs. Cousens, Dean, Guindon, Ms. Hart, Messrs. Henderson, McCague, McGuigan, Pollock and Reycraft.

Standing committee on the Legislative Assembly: Messrs. Bossy, Breaugh, J. M. Johnson, Laughren, Mancini, Martel, Morin, Newman, Sterling, Treleaven and Turner.

Standing committee on the Ombudsman: Messrs. Bossy, Hayes, Hennessy, Mancini, McLean, McNeil, Morin, Newman, Philip, Sheppard and Shymko.

Standing committee on public accounts: Messrs. Epp, Ferraro, Gillies, Gregory, Harris, G. I. Miller, Philip, Pope, Runciman, D. W. Smith and Wildman.

Standing committee on resources development: Messrs. Bernier, Cordiano (for Bill 51), Epp (for Bill 51), Knight, Laughren, Mancini (for WCB hearings), McKessock (for WCB hearings), Pierce, Poirier (for WCB hearings), Ramsay, Reville, Ms. E. J. Smith (for Bill 51), Stevenson and Taylor.

Messrs. Gregory, Hayes, Lane, Leluk, Mrs. Marland, Messrs. McKessock, Poirier, Rowe, D. W. Smith, South, Swart, and Mr. Ward (for Mr. Poirier while the committee is travelling).

Mr. Andrewes: These terms of reference have been discussed with the critics of the various parties. I hope we have reached some agreement.

Mr. McClellan: A great deal of work has been put into the development of the terms of

reference and the schedules of the committees. Most of the work was done by the whips for each of the three parties. They deserve a great vote of thanks.

Motion agreed to.

Hon. Mr. Nixon: To explain this small hesitation, there was a motion to direct the committee on the appointment of a Clerk.

Mr. McClellan: It is in there.

Hon. Mr. Nixon: It is in there? I am sorry; I should have read it more carefully.

ADJOURNMENT OF HOUSE

Hon. Mr. Nixon moved that when the House adjourns today it stand adjourned until October 14, 1986.

Motion agreed to.

THIRD READINGS

The following bills were given third reading on motion:

Bill 11, An Act respecting the Protection of Rental Housing;

Bill 54, An Act to Authorize and Regulate the Payment by the Minister to Specified Persons on Behalf of Specific Classes of Persons for the Dispensing of Specified Drugs;

Bill 55, An Act to provide for the Protection of the Public in respect of the Cost of Certain Prescription Drugs.

EDUCATION AMENDMENT ACT

Hon. Mr. Conway moved third reading of Bill 75, An Act to amend the Education Act.

L'hon. M. Conway: Je propose l'adoption de la troisième lecture du projet de loi 75.

Subject to an understanding, there will be a very brief discussion on third reading of Bill 75. Very briefly, on behalf of the government, I want to indicate once again how pleased we are to see this very important and historic legislation enacted in Ontario this afternoon. This gives effect to the very important commitment that the francophone minority in this province will be guaranteed representation in those schools and programs where French is the first language in the Ontario school system.

This has been accomplished over the course of many weeks and months with the participation of a goodly number of members of this assembly. This important and very intricate legislation reflects this government's commitment to minority-language education and guarantees those rights in the province.

In introducing the bill this past December, I indicated we would be establishing in the national capital area a French-language board for 1988. In January, a committee under the direction of Albert Roy was established to recommend the best way to implement the creation of this board in the 1988 school board elections. I am expecting the recommendations of that committee later this summer.

The government believes the Ottawa-Carleton region should have such a French-language board because of the very special and unique circumstances in the national capital area. That is why I have repeatedly stated the government's intentions to create such a French-language board in the national capital area and in the national capital area only.

However, while this legislation was being examined in the standing committee on general government, it became apparent to me that members of this assembly, most notably the member for Hamilton West (Mr. Allen), supported, particularly yesterday, by the member for Cornwall (Mr. Guindon), have a desire to explore this concept in other areas of the province. As well, the francophone community has repeatedly expressed its desire for further consideration of this matter.

While government policy remains unchanged, I am once again reminded of the realities of minority government. Therefore, I am announcing today that the government has agreed to sponsor a study of the regional French-language school board issue. This study, to be completed within two years, will consider the organization, structure, trustee representation, boundaries, impact and cost of creating such boards elsewhere in the province.

En terminant, j'aimerais simplement réitérer que je suis très heureux d'avoir réussi, grâce aux efforts et à la coopération de tous, à mener le projet de loi 75 à bonne fin. Je suis convaincu que ces mesures législatives ne feront qu'améliorer les services éducatifs rendus à la population francophone de notre province.

Mr. Allen: I rise to support this legislation on behalf of my party. I am pleased the minister and his staff have brought a long-standing project to its completion.

Les Néo-Démocrates appuient le projet de loi 75 et les résultats du processus d'amendements du comité. On a longtemps attendu cette législation qui établira un régime substantiel de gérance de leurs propres écoles par les Franco-Ontariens et Franco-Ontariennes. C'est leur droit.

C'est un projet très important, mais néanmoins il reste une demi-mesure. Je suis heureux d'avoir persuadé le Ministre à commencer une étude définitive au sujet des conseils scolaires régionaux pour Franco-Ontariens et Franco-Ontariennes. Vraiment, le Ministre comprend la politique minoritaire. Après ce projet de loi, les conseils scolaires de langue française en Ontario sont la prochaine étape et le défi crucial.

We support Bill 75 now, as we have done from the beginning.

7:20 p.m.

Mr. Davis: I am very pleased to rise on this historic occasion and give the support of our party to Bill 75. I point out that the majority of Bill 75 is a reiteration of Bill 28, which we introduced and which was withdrawn by the Liberal government. I expect the committee the minister is going to institute will be in place by September 1. We are very happy on this occasion.

M. Guindon: Je veux seulement prendre quelques secondes pour exprimer à quel point je suis fier que l'Assemblée législative ait adopté ou soit en train d'adopter le projet de loi 75.

Aussi, je voudrais prendre quelques secondes pour mentionner que je suis un peu désolé du fait qu'on n'a pas pu inclure l'amendement proposé par le député de Hamilton Ouest (M. Allen), amendement qui voulait que le Ministre chargerait une commission de tracer des limites territoriales en vue de la création de conseils régionaux de langue française à travers la province.

Tout de même, je suis fier de l'énoncé du ministre de l'Éducation qui apporte au moins un commencement à ce qu'on aimerait avoir plus tôt que tard, que les francophones puissent s'organiser et gérer leurs propres commissions scolaires à travers l'Ontario. Je suis fier de supporter la troisième lecture du projet de loi 75.

Mr. Speaker: Do any other members wish to participate in the debate? Are there any final comments by the minister?

Motion agreed to.

THIRD READINGS (continued)

Bill 77, An Act to revise the Representation Act;

Bill 95, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984;

Bill 97, An Act to amend the Wine Content Act;

Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other Acts respecting Election Financing;

Bill 111, An Act to amend the Family Law Act, 1986;

Projet de loi 111, Loi modifiant la Loi de 1986 sur le droit de la famille.

ROYAL ASSENT

Hon. Mr. Alexander: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 11, An Act respecting the Protection of Rental Housing;

Bill 54, An Act to authorize and Regulate the Payment by the Minister to Specified Persons on Behalf of Specified Classes of Persons for the Dispensing of Specified Drugs;

Bill 55, An Act to provide for the Protection of the Public in respect of the Cost of Certain Prescription Drugs;

Bill 75, An Act to amend the Education Act;

Bill 77, An Act to revise the Representation Act;

Bill 95, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984;

Bill 97, An Act to amend the Wine Content Act;

Bill 103, An Act to revise the Election Finances Reform Act and to amend certain other Acts respecting Election Financing;

Bill 109, An Act to amend the Health Disciplines Act;

Bill 111, an Act to amend the Family Law Act, 1986;

Projet de loi 111, Loi modifiant la Loi de 1986 sur le droit de la famille.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House adjourned at 7:29 p.m.

APPENDIX A

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

TRADE MISSION

168. Mr. Bennett: Would the Minister of Industry, Trade and Technology provide the following information with regard to the trade mission to Israel: the names and affiliations of all who were members of the trade mission; the names of all relatives of the members of the mission who accompanied the mission; the detailed itineraries for the individual members of the mission; the cost of the mission identified and itemized by each participant; and a list of orders obtained during the course of the mission? [Tabled January 10, 1986]

Hon. Mr. O'Neil: 1. List of mission members and companies represented is attached.

2. No relations or spouses were on the mission.

3. Detailed itineraries were organized by the Canadian Federal Trade Commissioner for each mission member. This is, however, commercial-

ly confidential information, which cannot be released. A total of 76 appointments were arranged. A list of the individuals with whom the Minister of Consumer and Commercial Relations (Mr. Kwinter) met is attached.

4. Cost of the mission was \$31,548.76—details attached.

5. Return airfares were provided to private-sector participants of the mission. All hotel and other costs of private-sector participants were borne by the individual mission members.

6. Missions seldom produce immediate results. Actual sales take time to develop and MITT will monitor results for two years. The confidentiality of commercial contacts does not permit release of details of clients' negotiations. The text of the press release issued by the government press office, state of Israel, following discussions held between the Minister of Consumer and Commercial Relations (Mr. Kwinter) and Ariel Sharon is attached.

Ontario trade investment mission to Israel

November 7 to 17, 1985

Travel time: November 6 to 17, 1985. Mission: November 7 to 17, 1985.

Mission members

1. Robert Straus
Export manager
Acmetrack Ltd.
100 Walker Drive
Brampton, Ontario
L6T 4H6
Telephone: (416) 791-7930
Telex: 06-97885
CIS: 1006480
2. Mr. P. A. Metherall
Marketing manager
Litton Systems Canada Ltd.
25 Cityview Drive
Rexdale, Ontario
M9W 5A7
Telephone: (416) 249-1231
Telex: 06-989406
CIS: 1031650

Products

Door systems hardware,
closet organizers

Airborne radar flight
inspection systems,
automated test equipment
for aerospace

- | | |
|--|---|
| <p>3. John J. MacKay President NYAB VICOM Division of General Signal Ltd. 675 Development Drive Kingston, Ontario K7M 4W6 Telephone: (613) 389-4660 Telex: 066-3255 CIS: 1501240</p> | <p>Aerospace components, nuclear end fittings, air brake components</p> |
| <p>4. Mr. H. H. Prout President Permaquick Canada Ltd. 3221 Wharton Way Mississauga, Ontario L4X 2B6 Telephone: (416) 625-9444 Telex: 06-961275 CIS: 1693930</p> | <p>PQ crystalline waterproofing hot rubberized asphalt membrane, cold applied rubberized asphalt emulsion</p> |
| <p>5. Mr. E. N. Benatar President Sherwood Industrial Office Systems Inc. 287 Idema Road Markham, Ontario L3R 1B1 Telephone: (416) 475-6515 CIS: 1043640</p> | <p>Demountable steel partition systems, modular factory office units sound absorbing panels Mobile command post</p> |
| <p>6. Dr. Peter Lange Vice-president sales Vetrepharm Inc. 69 Bessemer Road, 27 London, Ontario N6E 2V6 Telephone: (815) 685-5800 Telex: 064-5817 CIS: 1707770</p> | <p>Veterinary biologics and Pharmaceuticals – immuno-stimulants – para-biologics – vaccines</p> |

Associate members

- | | |
|---|--|
| <p>1. Mr. Dave Kraftuch President Polar Appliances Ltd. 635 Oster Lane, Unit 11 Concord, Ontario L4K 1C5 Telephone: (416) 738-0888</p> | <p>Trading imports/exports</p> |
| <p>2. Mr. Michael Baratz, BA, CA Fuller Jenks Landall Chartered accountants 280 Jarvis Street Toronto, Ontario M5B 2C5 Telephone (416) 977-8692</p> | <p>Management consultants, tax consultants</p> |

Mission leader

Hon. M. Kwinter
 Minister
 Ministry of Consumer and Commercial Relations
 555 Yonge Street, 9th floor
 Toronto, Ontario
 M7A 2H6
 Telephone 963-0311

Mission co-ordinator

J. George Kurys
 Senior International Marketing Consultant
 Ministry of Industry, Trade and Technology
 International Marketing Branch
 Europe/Middle East section
 5th floor, Hearst Block
 900 Bay Street
 Toronto, Ontario
 M7A 2E1
 Telephone: (416) 965-9711
 Telex: 06-219786

Special assistant to the minister

Brian Donoghue
 Senior Representative and
 Manager Business Development
 Ministry of Industry, Trade and Technology
 Ontario House
 Charles II Street
 London SW1Y 4QS
 Telephone: 011-44-1-930-4400
 Telex: 51-262517

Trade investment mission**Travelling expenses**

| | | |
|--|------------|-------------|
| Honourable Monte Kwinter—Airfare (Toronto-New York-Tel Aviv-London-Toronto) | \$4,934.00 | |
| Note: Honourable Monte Kwinter was unable to travel with the mission members to Tel Aviv as he was required to take action on an LCBO matter which was brought to his attention on the scheduled departure date. | | |
| Mr. J. George Kurys—Airfare (Toronto-New York-Tel Aviv-Frankfurt-Toronto) | 3,803.00 | |
| MITT senior consultant Mission co-ordinator | | |
| Mr. B. Donoghue—Airfare (London-Tel Aviv-London) | 2,321.10 | |
| Senior representative, London, UK | | |
| Mission members | 8,532.00 | |
| Ground Transportation | 963.68 | |
| Subtotal | | \$20,553.78 |

Accommodation, meals and miscellaneous expenses

| | | |
|--------------------------|------------|----------|
| Honourable Monte Kwinter | \$3,187.98 | |
| Mr. J. George Kurys | 2,650.05 | |
| Mr. B. Donoghue | 1,772.35 | |
| Photographer | 95.76 | |
| Subtotal | | 7,706.14 |

Reception

| | |
|--|--------------------|
| For Ontario mission members and Israeli clients hosted by Honourable Monte Kwinter | 3,288.76 |
| | <u>\$31,548.76</u> |

Note: The travelling expenses of this trip include the Honourable Monte Kwinter's airfare to London to attend a computer exhibition on behalf of the province and to meet with the British Secretary of State for Corporate and Consumer Affairs, and J. George Kurys's airfare to the MITT office in Frankfurt.

Press release from state of Israel

"Sharon Meets with Ontario Minister:

"The Minister of Consumer and Commercial Relations of the province of Ontario, Canada, Monte Kwinter, and Minister of Industry and Commerce, Ariel Sharon, today discussed increased economic ties between Israel and this Canadian province.

"The Ontario minister spoke of Canada's wish to expand its economic relations with Israel. He emphasized that Canada can serve as a bridge for Israeli export to the Far East.

"During the past year, Israel's export to Canada totalled \$65.7 million, compared with \$42.7 million in 1983. The Minister of Industry and Commerce told the guest that Israel is striving to increase its export to Canada in order to reduce the trade deficit between the two countries.

"During the past year Canada's export to Israel totalled \$107 million compared with \$105 million the previous year.

"Joint economic projects between Canada and Israel were also discussed. The Ontario minister said that Canadian investors have expressed interest in common projects with Israel."

"December 13, 1985;

"Attention: J. George Kurys
MITT Europe/Middle East desk

"The Honourable M. Kwinter met with the following individuals:

"His Excellency Vernon Turner, Canadian Embassy, 220 Hayarkon Street, Tel Aviv;

"Zen Burianyk, counsellor (commercial), address as above;

"Dr. Michael Sela, president, Weizmann Institute;

"Dr. Davia Amitai, director public relations,

Boys Town (Kiryat Noar), Hayt Vegan, Harav Frank St 20;

"Raziel Zwang (spokesman and director of education, publication department), Histradut Consumer's Protection Authority, 93 Arlosoroff Street, Tel Aviv;

"Dr. Sinai Deutch (legal adviser and senior manager) (CCAH), Histradut 5 Ben-Shaprut St., Tel Aviv;

"Nazuat Kaisab, member, Executive Bureau of Histradut, chairman, Central Consumers Authority (HCCA), Histradut, 5 Ben-Shaprut St., Tel Aviv;

"Moshe Nahum, executive director and secretary, World Trade Centre Israel Ltd., Industry House, 29 Hamered St., Tel Aviv;

"Yair Ofek, director, consumer goods division, Israel Export Institute, 29 Hamered St., Tel Aviv;

"Elchanan Raphael, director, North American division, Ministry of Industry and Trade, Jerusalem;

"Jacob Ertel, head, corporate division, Bank Leumi, Le-Israel, 25 Yehuda Haelvi St., Tel Aviv;

"Dr. David Klein, head, strategic planning, as above;

"Dr. Marcel Stein, general manager's senior assistant, address as above;

"Yitzchak Artzi, Independent Liberal MP, Knesset;

"Dr. Zeisblatt, Ministry of Justice;

"Minister Ariel Sharon, Minister of Industry and Commerce."

APPOINTMENTS IN PUBLIC SECTOR

209. Mr. Shymko: Would the Premier provide all background material which led to the

appointment of the former New Democratic Party chairman to the Toronto Board of Education, Penny Moss, to the Ontario Council of Regents? Would the Premier provide a list of all candidates considered for the position, their qualifications and resumes? What was the process in making the final decision? [Tabled January 29, 1986]

Hon. Mr. Peterson: Penny Moss was appointed to the Ontario Council of Regents by the Premier. She was chosen from candidates whose names are kept in an inventory of individuals who are interested in or suggested for such positions. The length of the appointment is one year.

Penelope Anthony Moss—curriculum vitae

Personal: 164 Borden Street, Toronto, Ontario, M5S 2N3. Married.

Education: Nottingham University, BSc, honours; Maidstone Girls' Grammar School.

Experience

1968 to 1970: Ewell County Technical College, UK, lecturer II, plant physiology and pathology.

1967 to 1968: Ware College of Further Education, UK, lecturer I, applied biology.

Responsibilities for course development and teaching of applied science programs in co-operation with industry.

Policy development responsibilities

1980: development of day care programs for infants of day school students.

1982: work group on co-ordination of comprehensive care programs, chairman.

1979: work group on special education programs.

1982 to 1983: work group on education of the gifted and talented.

Current: secondary education review group, chairman.

1980 to present: liaison committee between George Brown College and Toronto Board of Education; development of innovative programs in adult basic education, career placement and technical education.

Professional activities

Toronto Board of Education: elected 1978; chairman, 1982 to 1985.

Metropolitan Toronto School Board: 1978 to 1980, 1982 to present; vice-chairman, 1983 to present; steering committee for negotiations, 1982 to present.

Toronto Board of Health: member, 1980 to 1982.

Association of Large School Boards of Ontario: executive committee, 1979 to 1984; curriculum committee, 1978 to 1980; chairman, 1979 to 1980.

Ontario Council of Regents for Colleges of Applied Arts and Technology: appointed member, January 1986.

Province of Ontario: provincial advisory committee on learning materials development fund, 1979 to 1980; provincial advisory committee on evaluation policy and practice, 1981 to present—subcommittee, Ontario assessment instrument pool; subcommittee parent involvement; subcommittee province-wide testing.

Ontario Education Week committee, 1984, co-chairman.

Commission on Private Schools, member, advisory committee.

Ministry of Education CEDSS project, Ottawa board, member external review team, 1985.

211. Mr. Yakabuski: Will the Premier provide all background material which led to the employment with the Ontario Energy Board at \$55,000 per year of former Scarborough Liberal ex-alderman Joe DeKort, who ran unsuccessfully against Mayor Gus Harris of Scarborough? How was the job advertised? Would the Premier provide a list of all candidates considered for the job, their qualifications and resumes? What is the process in making the final selection? [Tabled January 29, 1986]

Hon. Mr. Peterson: Joe DeKort was appointed to the Ontario Energy Board by the Premier. He was chosen from candidates whose names are kept in an inventory of individuals who are interested in or suggested for such positions. The length of appointment is one year.

Joseph A. DeKort, BA, MTCTI—curriculum vitae

Personal: 64 Blueberry Drive, Agincourt, Ontario, M1S 3G3. Married.

Education: honours math and applied physics BA, University of Western Ontario, London, Ontario; Management by Objectives, Control Data Institute; Appraisal/Economics, Ryerson Polytechnical Institute; basic computer training, IBM; sales training, Honeywell.

Experience

1981 to present: Honeywell Information Systems, senior marketing representative-manager financial markets: government of Ontario mar-

keting minis-micros; large-scale distributed systems; office automation-word processing electronic mail; computer-assisted learning; computer-aided design, computer-aided manufacturing; computer-aided engineering; banking systems to financial community; Videotex; chip on card technology; sold first major Honeywell account to Ontario government since 1967.

1979 to 1981: founder and president, J. A. DeKort and Associates Ltd., a private consulting company in computer applications, corporate planning, electronic funds transfer, zero-based planning and budgeting, dealing with government, seminars and training.

1978 to 1979: senior vice-president, administration, the Metropolitan Trust Co., administrative operations for all divisions—300 people.

1974 to 1979: vice-president, corporate systems division, the Metropolitan Trust Co., responsible for corporate systems, computer operations—40 systems and operations staff; Honeywell large mainframe, TRW/Datapoint distributed system and Data Centre—Canada Systems Group/IBM mainframe OS, MVT.

1972 to 1974: manager, mortgage department, the Metropolitan Trust Co., managed the portfolio of approximately \$300 million representing over 10,000 mortgages; responsible for processing of Ontario Housing Corp. mortgage portfolio of 30,000 mortgages.

1970 to 1972: senior systems analyst, project manager, Woods Gordon and Co., management consultant and project manager for projects in computer systems including province of Ontario, trust industry, brokerage industry, fishing industry and community colleges.

1969 to 1970: project manager, senior systems analyst, AGT Data Systems Ltd., senior systems analyst activities in payroll, accounting, general ledger, receivables, payables, inventory control and sales analysis.

1965 to 1969: programmer and systems analyst, IBM Canada Ltd., programmed and did systems design on Autocoder, SPS, Fortran, RPG, Cobol for wholesale hardware industry, province of Ontario, property and casualty insurance industry and manufacturing industry.

Professional activities—past and present

Alderman, city of Scarborough, 11 years; Board of Trade of Metropolitan Toronto; member, Trust Company Institute; chairman, recreation and parks committee; board of governors, Scarborough General Hospital; American Management Association; curriculum committee, TCI; Payment Systems Inc.; president, Iroquois

Community Association; member, Scarborough International Youth Year Task Force; member, Scarborough, North York Chinese Business Association.

225. Mr. Hennessy: Would the Premier table all correspondence, background material, resumes, etc., which led to the appointment of the former Liberal alderman for the city of Toronto, Anne Johnston, to the position of co-chairman, appointed to review the Municipal Elections Act? [Tabled February 6, 1986]

Hon. Mr. Peterson: The appointment of the co-chairman of the committee set up to review the Municipal Elections Act was made by the Minister of Municipal Affairs (Mr. Grand-maitre). Anne Johnston was selected from an inventory of qualified municipal officials after consultation with ministry officials.

Anne Johnston—curriculum vitae

Personal: 7 Cortleigh Boulevard, Toronto, Ontario, M4R 1K5

Education: 1943 to 1950, Neath Girls' Grammar School. 1954 to 1953, London School of Occupational Therapy MOAT. 1956, diploma in Canada, OT reg.

Experience: 1953 to 1955, occupational therapist, Belmont Hospital, Sutton, Surrey, U.K. 1955 to 1960, director of occupational therapy Allan Memorial Institute, Royal Victoria Hospital, Montreal, Quebec. 1960 to 1968, raised five children. 1968 to 1972, community consultant Queen Street Mental Health Centre, Toronto. 1972 to 1985, senior alderman, ward 11, city of Toronto council and Metro Toronto council served on all standing committees, many board and commissions and community organizations.

Professional activities: Chaired mayor's task force on disabled and elderly, the first such committee in Canada to make recommendation about accessibility for the physically handicapped. Chaired city of Toronto Board of Health for nine of 13 years' service. Chaired Metro social services committee, 1973. Chaired personnel committee of the executive committee for five years.

Professional activities: Member, city of Toronto executive committee for five years. Member, Metro executive committee for two years. Vice-president, Toronto sesquicentennial board. Member, board of directors, Association of Municipalities of Ontario, four years. Member, board of directors, Federation of Canadian Municipalities, two years. Member, Metro Toronto District Health Council. 1986, direct

of Community Healthcare Services, Dynacare Healthcare Systems, a subsidiary of Greenwin Development.

226. Mr. Hennessy: Would the Premier table all correspondence, background material, résumés, etc., which led to the appointment of the former Liberal mayor of Cornwall, Gerald Parisien, to the position of co-chairman, appointed to review the Municipal Elections Act? [Tabled February 6, 1986]

Hon. Mr. Peterson: The appointment of the co-chairman of the committee set up to review the Municipal Elections Act was made by the Minister of Municipal Affairs (Mr. Grand-naitre).

Gerald Parisien was selected from an inventory of qualified municipal officials after consultation with ministry officials.

Gerald J. Parisien—curriculum vitae

Personal: 830 Pitt Street, Cornwall, Ontario, K7J 3S2. Married.

Education: St. Columban's West Boys School, Gozaga Catholic High School. army courses, administration and mathematics.

Army service: Four years overseas, European theatre; two AGRA group; 5th battery, 3rd medium regiment, Royal Canadian Artillery. Honourable discharge, gunnery sergeant—instructor of gunnery.

Experience: Independent merchant 25 years. News editor, CJSS Radio, Cornwall, five years. Correspondent for Ottawa Journal, Ottawa Citizen, CBC Radio, United Press International, Maclean Hunter, Canadian Register.

Professional activities: Municipal council, City of Cornwall, 11 years mayor, eight years Alderman. Chairman, Cornwall Board of Police Commissioners, 11 years. President, chairman of the board, Cornwall Electric, nine years. Past president, Association of Municipalities of Ontario. Past president, Association of Municipal Police Authorities. Past president, Association of Ontario Boards of Health. Past president, Cornwall Retail Merchants Association. Past president, Cornwall Ratepayers Association. Present member, director Cornwall Chamber of Commerce. Member, Ontario Police Arbitration Commission.

233. Mr. McNeil: Would the Premier table all correspondence, background material, resumes, etc., which led to the appointment of a prominent Liberal, John Listowski, to the London Police Commission? Please state length of the appointment. [Tabled February 6, 1986]

Hon. Mr. Peterson: John Listowski was appointed to the London Police Commission by the Solicitor General (Mr. Keyes). He was chosen from candidates whose names are kept in an inventory of individuals who are interested in or suggested for such positions. The length of the appointment is two years.

John Richard Listowski—curriculum vitae

Personal: 607 Queen's Avenue, London, Ontario, N6B 1Y9.

Education

1962 to 1967: South Lincoln High School, Smithville, Ontario, secondary school honours graduation diploma.

1967 to 1970: University of Western Ontario, London, Ontario, bachelor of arts, honours Russian, gold medallist.

1970 to 1974: University of Western Ontario, London, Ontario, bachelor of laws.

Extracurricular activities: editor, Western Ontario Law Review; president, UWO Legal Society.

Employment

May 1974 to August 1975: Articling student at Lerner and Associates, London, Ontario.

September 1975 to February 1976: Student at bar admission course, Osgoode Hall, Toronto, Ontario.

March 1976 to August 1976: Lawyer with Peel, Chapman and Farmer, London, Ontario.

August 1976 to May 1979: Sole practitioner in London, Ontario.

May 1979 to present: Associated in the practice of law with Philip Brian Chapman.

234. Mr. Mitchell: Would the Premier table all correspondence, background material and resumes concerning the recent appointment of former Liberal MPP Albert Roy, who will, at \$375 per day, head a committee developing plans for a French-language school board in the Ottawa area? How many days of work are contemplated? [Tabled February 6, 1986]

Hon. Mr. Peterson: Albert Roy was appointed chairman of the committee developing plans for a French-language school board in the Ottawa area by the Minister of Education (Mr. Conway). He was chosen from among many candidates whose names are kept in an inventory of individuals who are interested in or suggested for such positions. The committee is currently meeting two or three days per week for approximately six to eight months.

Albert J. Roy—curriculum vitae

Personal: 641 Glenhurst Crescent., Gloucester, Ontario, K1J 7B8. Married.

Education

Gravelbourg College, Saskatchewan; St-John College, Edmonton; University of Ottawa, BA, LLB, Osgoode Hall.

Experience

1967 to 1969: Assistant crown attorney in Ottawa-Carleton.

1969 to 1985: Partner in firm Gour, Guenette and Roy.

1985 to present: Partner in firm Vincent Dagenais Gour & Guenette.

Political commentator for CBC and CTV.

President of a task force for the French-language school board for Ottawa-Carleton.

Professional activities

Member of the University of Ottawa alumni; member of the county of Carleton Bar Association; member of the Ontario Bar Association; member of the District Crown Attorney Association; member of the John Howard Society; member of the Elizabeth Fry Society; de l'Association canadienne française de l'Ontario; de l'Association des Juristes d'expression française; member of the National Arts Centre Foundation; board of directors of the Royal Ottawa Hospital; board of directors of the Grace Hospital; member of the Canadian Bar Association; elected member of the Ontario Legislature in 1971, re-elected in 1975, 1977 and 1981, resigned in August 1984.

Legislative experience: Opposition critic in matters of consumer and commercial relations, education, justice, health, Solicitor General and critic in matters of federal-provincial relations.

235. Mr. McNeil: Would the Premier table all correspondence, resumes and background material concerning the recent appointment of Claude M. Pensa, a high-profile Liberal of London, Ontario, to the board of governors, University of Western Ontario? Please state the length of the appointment? [Tabled February 6, 1986]

Hon. Mr. Peterson: Claude Pensa was appointed to the board of governors, University of Western Ontario by the Premier. He was chosen from a short list of potential candidates provided by the University of Western Ontario Board of Governors. The length of the appointment is four years.

Claude Marius Victor Pensa—curriculum vitae

Personal: 277 Victoria St., London, Ontario, N6A 2C4.

Education

Attended St. Peter's Elementary School in London; De La Salle High School in London; Osgoode Hall Law School. Received call to bar in 1956. Queen's Counsel 1976.

Experience

1956 to 1962: Mitchell and Hockin, London, Ontario.

1962: Formed a law partnership under the name of Giffen and Pensa.

1965: Senior partner, law firm of Pensa and Associates.

Professional activities

Member of the Canadian Bar Association. Past member of the Civil Justice Committee. Lecturer, Canadian Bar Association Programs; Trustee of the Middlesex Law Association; member of the Advocates' Society; chairman of the Court House Committee of the Middlesex Law Association.

Past chairman of the Board of Governors of Regina Mundi College, London.

Member of the Association of Trial Lawyers of America; general counsel and solicitor for the Board of Education for the City of London; member of the Parkwood Hospital Board; member of the School Lawyers' Association, an association of lawyers specializing in education law; member of the National Organization on Legal Problems of Education—NOLPE; counsel to the Law Society of Upper Canada defending malpractice claims against lawyers.

Practice has been confined chiefly to litigation. Counsel work has been general with emphasis in the area of negligence and insurance law, but broad experience in general litigation. In the earlier years of practice acted part-time as a crown attorney and for approximately 10 years was responsible for prosecution of charges under the Narcotic Control Act and the Food and Drug Act.

Past senior instructor in civil procedure—Law Society of Upper Canada, bar admission course senior instructor, bar admission course, risk management.

251. Mr. Taylor: Would the Premier table all correspondence, background material and resu

mes which led to the appointment of Dr. John Hazlett, twice a Liberal candidate in Kingston and the Islands, to the position of chairman of the Kingston area Health Council. Please state the length of the appointment? [Tabled February 6, 1986]

Hon Mr. Peterson: John Hazlett was appointed Chairman of the Kingston area Health Council by the Minister of Health (Mr. Elston). He was chosen from candidates whose names are kept in an inventory of individuals who are interested in or suggested for such position. The length of the appointment is one year.

John Walter Hazlett—curriculum vitae

Personal: 122 Sydenham Street, Kingston, Ontario, K7L 3H5. Married

Professional, educational activities

1937 to 1942: North Toronto Collegiate
1942 to 1947: University of Toronto, Faculty of Medicine

1947 to 1948: Toronto Western Hospital — junior intern

1948 to 1949: Department of Anatomy, University of Toronto, demonstrator

1949 to 1950: Department of Pharmacology, University of Toronto, demonstrator-research of oximetry

1950 to 1952: Toronto Western Hospital

1952 to 1953: Sunnybrook Hospital

1953 to 1954: Toronto General Hospital

1954 to 1955: FRCS (C), orthopaedic surgery, Hospital for Special Surgery, New York City, fellow in scoliosis

1955 to 1958: Diplomate of American Board of Orthopaedic Surgery

1961: Travelling fellow to British Isles, Canadian Orthopaedic Association

1967 to 1978: Medico, A Service of CARE—Tunisia, Afghanistan, Indonesia, Dominican Republic

Member: Canadian Medical Association; Ontario Medical Association; Ontario College of Physicians and Surgeons; Kingston Academy of Medicine; Royal College of Surgeons of Canada; Canadian Orthopaedic Association; Ontario Orthopaedic Association; American Academy of Orthopaedic Surgeons; Chalmer's United Church; Queen's University Faculty Club; Society of Alumni of Medico, A Service of CARE; Dewar Orthopaedic Club; 20th Century Orthopaedic Club; St. John's Ambulance Association of Kingston; Kingston Horticultural and Garden Society; Frontenac Historic Foundation; Canadian Wildlife Federation; Tau Omicron of Phi Chi.

Appointments: Associate Professor of Orthopaedic Surgery, Queen's University, Kingston; Chief of Orthopaedic Surgery and Attending Staff, Hotel Dieu Hospital; Consultant Staff, St. Mary's of the Lake Hospital, Kingston—Kingston Penitentiaries, Kingston; visiting professor, University of Alberta, Edmonton, May 1978; Chinese Ministry of Health tour of China, October 1980; visiting professor, University of Manitoba, September 1982; guest of honour, Orthopaedic Congress of Dominican Republic, December 1980 and 1982; visiting professor, University of Sherbrooke, November 1983.

FOOD LAND

256. Mr. Cousens: Would the Minister of Agriculture and Food give the name of companies that have received approval and the names of companies that have not received approval regarding amendments allowing for development of prime agriculture land in York, Durham and Peel from July 1, 1985, to January 31, 1986? [Tabled April 23, 1986]

Hon. Mr. Grandmaitre: Official plan amendments are adopted by the local municipal council and submitted to the Minister of Municipal Affairs for approval, in accordance with the Planning Act.

Upon receipt by the minister, the proposed amendment is reviewed and circulated for comment to various interested agencies, including the Ministry of Agriculture and Food. The findings of the review and circulation are taken into consideration in the amendment's disposition.

Amendments do not normally contain the names of proponents or land owners affected by the amendments. Official plan amendments are considered on their planning merits and who owns the land is not in itself relevant to the decision.

POLICE COMMISSIONS

277. Mr. Sterling: Would the Solicitor General provide a list of all police commissions in Ontario, including the number of positions on each commission; the name of each commissioner at present sitting on the commissions, including term of appointment; all vacancies and their respective commissions? [Tabled May 7, 1986]

Hon. K. Keyes: I have enclosed a list of all boards of commissioners of police for the province and their membership as of June 9, 1986.

There are currently 11 vacancies which are distributed as follows:

Nepean, two; Amherstburg, one; Prescott, Frances, one, and Brockville, one.
 one; Sarnia, one; Sarnia township, one; Tim-
 mins, one; Woodstock, one; Orillia, one; Fort

Revised June 9, 1986

Members

Boards of Commissioners of Police Province of Ontario

| | | |
|----------------------|---------------------------|-----------------------|
| Alexandria, town | Alexander MacDonald | June 21/86-June 20/87 |
| | Gerard G. Roy | Oct 01/84-Sept 30/86 |
| (Chairman) | Mayor J.P. Touchette † | |
| Amherstburg, town | Richard D. Thrasher | Jan 01/85-Dec 31/86 |
| | Casey Overgaauw | July 25/84-July 24/86 |
| (Chairman) | Mayor William Gibbs † | |
| Barrie, city | Reginald F. Bornor | Sept 22/84-Sept 21/86 |
| | Donald Norman Campbell | June 06/86-June 05/88 |
| | Dorian Parker † | (Alderman) |
| | Mayor Ross Archer † | |
| (Chairman) | Judge H. Ward Allen * | |
| Belleville, city | Robert E. Lee | Mar 21/86-Mar 20/88 |
| | Dr. John S. Stock | Dec 01/84-Nov 30/86 |
| (Chairman) | Mrs. Theresa A. Boyd | June 06/86-June 05/88 |
| | Mayor George Zegouras † | |
| | Stu Meeks † | |
| Brantford, city | Judge E.O. Fanjoy * | |
| | Ms. C.A. Wilson Westbrook | Feb 19/86-Feb 18/88 |
| | B. Paul Randorf Mar | 01/86-Feb 28/87 |
| (Chairman) | Max Sherman † | (Alderman) |
| | Mayor David Neumann † | |
| Brockville, city | Mrs. Susan B. Stirling | May 22/86-May 21/88 |
| | James O. Barclay | July 15/84-July 14/86 |
| (Chairman) | Raymond A. Halverson | Apr 18/84-Apr 17/86 |
| | W. Watson † | |
| | Mayor Stephen J. Clark † | |
| Carleton Place, town | C. Ormond Giles † | |
| | James I. Doig | Aug 15/84-Aug 14/86 |
| | Mayor Melba J. Barker † | |
| (Chairman) | Donald G. Thurston | Jan 16/85-Jan 15/87 |
| | David G. Kirkpatrick | Nov 01/85-Oct 31/87 |
| Chatham, city | Robert P. Myers | Dec 12/85-Dec 11/87 |
| | Mrs. Virginia McGeorge | Apr 24/86-Apr 23/88 |
| (Chairman) | Douglas G. Sulman † | (Alderman) |
| | Mayor William Erickson † | |
| | Dennis H. Asher | Nov 01/85-Oct 31/87 |
| Cornwall, city | Ms. Loraine Robertson | Mar 01/86-Feb 29/88 |
| | Bryan E. Comrie | July 09/84-July 08/86 |
| (Chairman) | Lindy Latour | June 12/85-June 11/87 |
| | Guy Léger † | (Alderman) |
| | Mayor Brian Lynch † | |
| Deep River, town | Allen Valiquette | Sept 25/84-Sept 24/86 |
| | Mayor Lyall Smith † | |
| (Chairman) | Glen E. Warner | Nov 22/84-Nov 21/86 |

| | | |
|---------------------------|-----------------------------------|-----------------------|
| Dresden, town | Donald Spearman | Dec 21/85-Dec 20/86 |
| | Mrs. Nancy Hind | Jan 16/86-Jan 15/88 |
| | (Chairman) Mayor Leslie Hawgood † | |
| Durham, town | N. Ross Thompson | Feb 13/85-Feb 12/87 |
| | Mayor Floyd Lawrence † | |
| | (Chairman) Kenneth L. MacDonald | Jan 16/86-Jan 15/88 |
| Durham region | Judge Joseph P. Kelly * | |
| | J. Taylor † | (Regional Councillor) |
| | William G. Newman | May 01/85-April 30/87 |
| | J. Walter Beath | Nov 15/84-Nov 14/86 |
| | (Chairman) R. A. Attersley † | (Regional Councillor) |
| Elliot Lake, town | Mrs. Catharine Dixon | July 31/84-July 30/86 |
| | Claude Beaumier † | (Councillor) |
| | Ms. Joanne F. Gagnon-Main | Mar 21/86-Mar 20/88 |
| | (Chairman) Rosario Capillo | July 31/84-July 30/86 |
| | Mayor Roger Taylor † | |
| Essex, town | Richard L. Tapping | Feb 14/85-Feb 13/87 |
| | Clifford W. Cox | July 01/85-June 30/87 |
| | (Chairman) Nelson G. Cassan | Dec 19/84-Dec 18/86 |
| | James Shaheen † | (Councillor) |
| | Mayor James MacPherson † | |
| Fort Frances, town | Judge Barton B. Trembley * | |
| | Ms. Patricia J. Reid | May 09/86-May 08/88 |
| | William Martin, Jr. | Apr 04/84-Apr 03/86 |
| | (Chairman) Deane G. Cunningham † | (Alderman) |
| | Mayor Dick Lyons † | |
| Gananoque, town | Larry L. Steacy | Feb 02/85-Feb 01/87 |
| | William R. Deir | May 09/86-May 08/88 |
| | (Chairman) Mayor Fred Delaney † | |
| Gloucester, city | Leslie Whamond | July 31/84-July 30/86 |
| | Brig.-Gen. Robt. G. Heitshu | Mar 01/86-Feb 29/88 |
| | Mayor Harry Allen † | |
| | Eugène Bellemare † | (Alderman) |
| | (Chairman) Harold Clarke | Mar 03/85-Mar 02/87 |
| Goderich, town | David Gower | Feb 14/85-Feb 13/87 |
| | Mayor Eileen Palmer † | |
| | (Chairman) Alvin E. McGee | Jan 01/85-Dec 31/86 |
| Guelph, city | Norman W. Jary † | |
| | Paul R.G. Smith | Nov 14/84-Nov 13/86 |
| | William MacKinnon | June 02/86-June 01/88 |
| | Mayor John Counsell † | |
| | (Chairman) Brian E. Hadfield | Jan 02/86-Jan 01/87 |
| Haldimand-Norfolk, region | David H. Wase | Jan 15/85-Jan 14/87 |
| | Gary Mawhiney | Feb 19/86-Feb 18/88 |
| | Robert Causyn † | (Regional Councillor) |
| | Orval Shortt † | (Regional Councillor) |
| | (Chairman) Judge W. W. Leach * | |
| Halton region | Judge Joseph C. Scime * | |
| | James D. Watson | Jan 16/86-Jan 15/88 |
| | Reginald C. Monaghan | Mar 15/85-Mar 14/87 |
| | Fred Oliver † | (Regional Chairman) |
| | (Chairman) James Grieve † | (Regional Councillor) |

| | | |
|----------------------------|---------------------------|-----------------------|
| Hamilton-Wentworth, region | Judge G.J.J. Sullivan * | Dec 05/85-Dec 04/87 |
| (Chairman) | Mrs. Virginia L. Cott | (Regional Councillor) |
| | Wm. McCulloch † | |
| | James Robb † | |
| | Alexander Mouriopoulos | Jan 09/86-Jan 08/88 |
| Hanover, town | Mrs. Marilyn R. Schinbein | Jan 16/86-Jan 15/88 |
| | C.A. (Glen) Rawson | May 16/86-May 15/88 |
| (Chairman) | Mayor Ernest Duncan † | (Alderman) |
| | Beverly Struke † | Apr 03/85-Apr 02/87 |
| | Mrs. Julie Koenig | May 15/86-May 14/88 |
| Hawkesbury, town | Michel Bonin | |
| (Chairman) | Mayor L. Berniquez † | Jan 24/85-Jan 23/87 |
| | Alain E. Cousineau | |
| Innisfil, township | Ms. Coralee Young | Mar 21/86-Mar 20/88 |
| (Chairman) | Fred Utton | Jan 23/85-Jan 22/87 |
| | Reeve Grant Andrade † | |
| | Ross Turner † | |
| | Thomas N. Sturge | Mar 21/86-Mar 20/88 |
| Kenora, town | Cecil L. Poirier | May 15/86-May 14/88 |
| (Chairman) | Mayor Kelvin Winkler † | |
| | Judge Gerald F. Kinsman * | (Councillor) |
| | Ralph D. Mosher † | May 22/86-May 21/88 |
| | Louis D. Seymour | |
| Kincardine, town | Mayor Charles Mann † | |
| (Chairman) | Kenneth E. Elston | Jan 16/85-Jan 15/87 |
| | J. Earle Kennedy | Aug 25/84-Aug 24/86 |
| | William Babson † | (Councillor) |
| | John F. Kirby | June 02/86-June 01/88 |
| Kingston, city | Judge A.R. Campbell * | |
| | Yuri Tarnowecky | Mar 01/86-Feb 29/88 |
| | William Jamieson † | (Alderman) |
| | Mayor John Gerretsen † | |
| | Ms. Judith M. MacKenzie | Jan 30/86-Jan 29/88 |
| Kingsville, town | Karl G. Melinz | Jan 24/86-Jan 23/87 |
| | Mayor Jerry Pickard † | |
| | George B. Stomp | May 15/86-May 14/88 |
| Kirkland Lake, town | Sean J. O'Connor | Feb 19/86-Feb 18/88 |
| | William J. Graham | Mar 01/86-Feb 28/88 |
| | John Gamble | Feb 20/85-Feb 19/87 |
| (Chairman) | W.G. Taylor † | (Councillor) |
| | Mayor J. Mavrinac † | |
| Leamington, town | Sterling A. Welch | Jan 24/86-Jan 23/87 |
| (Chairman) | Wayne W. Patterson | Mar 07/85-Mar 06/87 |
| | Mayor John Penner † | |
| | Don Nicholson † | (Councillor) |
| | Victor Gabriele | Nov 01/85-Oct 31/87 |
| Listowel, town | Vincent G. Judge | May 25/85-May 24/87 |
| (Chairman) | Mayor E. William Jones † | |
| | David A. Kilberg | Jan 03/86-Jan 02/87 |
| | Glen W. Thompson | May 29/85-May 28/87 |
| | Harold E. Perkin † | |

| | | | |
|------------------------|------------|---------------------------|-----------------------|
| London, city | | John R. Lisowski | Dec 12/85-Dec 11/87 |
| | | Ms. Eileen E. Gillese | Mar 01/86-Feb 29/88 |
| | | Orlando Zamproga † | (Alderman) |
| | (Chairman) | Mayor Tom Gosmell † | |
| | | Robert G. Robarts | Mar 14/85-Mar 13/87 |
| Metropolitan Toronto | | Judge Garth H.F. Moore * | |
| | | Ms. N. Jane Pepino | Mar 08/85-Mar 07/88 |
| | (Chairman) | Clarence W. Westcott | Feb 24/85-Feb 23/88 |
| | | Dennis Flynn † | (Metro Chairman) |
| | | Mayor Art Eggleton † | |
| Michipicoten, township | | Donald Dickson | Jan 23/85-Jan 22/87 |
| | | John N. Morrison | Jan. 01/85-Dec 31/86 |
| | (Chairman) | Bernard Lawrenson † | (Councillor) |
| | | Reeve Doug Woods † | |
| | | Harold W. Soderlund | Feb 27/85-Feb 26/87 |
| Mitchell, town | | Raymond F. Robinson | Dec 01/84-Nov 30/86 |
| | | Mayor Harold Jordan † | |
| | (Chairman) | Wm. P. Ducklow | Dec 01/84-Nov 30/86 |
| Nepean, city | | Edward L. Gladu, QC | Feb 15/84-Feb 14/86 |
| | | Sidney B. Handleman | Feb 29/84-Feb 28/86 |
| | (Chairman) | Hugh R. McDonald | Mar 06/86-Mar 05/88 |
| | | Al Brown † | (Alderman) |
| | | Mayor Ben Franklin † | |
| New Liskeard, town | | Jean-Paul LaPalme | Mar 21/86-Mar 20/88 |
| | | Mayor Charles Caldwell † | |
| | (Chairman) | Donald H. McKnight | Jan 01/85-Dec 31/87 |
| Niagara, region | | Mrs. Denise Taylor | Jan 16/86-Jan 15/88 |
| | | John R. Hanrahan | Jan 16/86-Jan 15/88 |
| | (Chairman) | Mayor Bob Saracino † | (Regional Councillor) |
| | | Wm. Dickson † | (Regional Councillor) |
| | | Robert F. Keighan | Jan 16/86-Jan 15/88 |
| North Bay, city | | George T. Valin | Feb 16/86-Feb 15/88 |
| | | Bernard R. Dorschner | June 06/86-June 05/88 |
| | | R.F. Donnelly, QC † | (Alderman) |
| | (Chairman) | Mayor Stanley Lawlor † | |
| | | Harvey F. Loyst | Feb 23/85-Feb 22/87 |
| Orangeville, town | | Mayor Gordon Courtney † | |
| | | John M. Darrell | June 06/86-June 05/88 |
| | (Chairman) | William Stutz | Jan 16/85-Jan 15/87 |
| Orillia, city | | Donald J. Crawford | June 01/85-May 31/87 |
| | | Jack Andre † | |
| | | James H. Jones | Apr 01/84-Mar 31/86 |
| | | Mayor Ted Emond † | |
| | | Edwin B. Forman | June 02/86-June 01/88 |
| Ottawa, city | | David Hinson Hill | May 22/86-May 21/88 |
| | | Mrs. Mary G. Hegan | May 09/86-May 08/88 |
| | | Rob Quinn † | (Alderman) |
| | (Chairman) | Mayor James Durrell † | |
| | | Judge Keith A. Flanigan * | |
| Owen Sound, city | | Mayor Ovid Jackson † | |
| | | Harold Van Wyck, QC | July 04/84-July 03/86 |
| | (Chairman) | Harry Henderson † | (Alderman) |
| | | Ms. Ruth Lovell | Jan 09/86-Jan 08/88 |
| | | Glenn G. Hepburn | May 09/86-May 08/88 |

| | | | |
|-------------------------|------------|--|---|
| Paris, town | | Judge E.O. Fanjoy * | |
| | (Chairman) | Mayor Jack Bawcutt † Paul A.M. James | Jan 02/85-Jan 01/87 |
| Peel, region | | Ronald K. Webb, QC | June 17/85-June 16/87 |
| | (Chairman) | R.F. Bean † Mayor K.G. Whillians † Angus D. MacKenzie Miles Obradovich | (Regional chairman) Jan 30/86-Jan 29/88 Jan 30/86-Jan 29/88 |
| Pembroke, city | | Walter M. Ogilvie | Mar 23/85-Mar 22/87 |
| | (Chairman) | Mayor Angus A. Campbell † Terance V. McCann | May 29/85-May 28/87 |
| Peterborough, city | | Harold S. Matthews | Mar 01/86-Feb 28/87 |
| | (Chairman) | Paul Rexe † Mayor Sylvia Sutherland † Hugh D. Waddell * Mrs. Eileen M. McGregor | (Alderman) Jan 30/86-Jan 29/88 |
| Petrolia, town | | William J. Pritchard | Jan 16/85-Jan 15/87 |
| | (Chairman) | David R. Hewett Mayor Marcel Beaubien † | Feb 19/86-Feb 18/88 |
| Picton, town | | Dr. Richard F. Evans | Sept 01/85-Aug 31/86 |
| | (Chairman) | Mayor Charles Hepburn † Jesse I. Mason | Sept 01/85-Aug 31/86 |
| Port Elgin, town | | Mayor Kenneth Dunlop † | Nov 01/84-Oct 31/86 |
| | (Chairman) | Ray D. Fenton Carman J. Levie | June 12/85-June 11/87 |
| Prescott, town | | Frank Whiten | June 02/86-June 01/88 |
| | (Chairman) | Donald F. Pender W.A. Kingston † Mayor Sandra S. Lawn † Robert K. Crawford | June 13/84-June 12/86 (Councillor) Feb 20/84-Feb 19/86 |
| St. Thomas, city | | Wayne W. Morton | Jan 16/85-Jan 15/87 |
| | (Chairman) | John Haazen Scott F. Kennedy † Mayor Janet Golding † Ms. Anna Tanguay | June 02/86-June 01/88 (Alderman) Jan 30/86-Jan 29/88 |
| Sandwich West, township | | Judge J.P. McMahon * | Jan 02/85-Jan 01/87 |
| | (Chairman) | Robert G. Krause Gerard P. Charette Rick Boughner † Reeve Vince Marcotte † | Jul 25/84-Jul 24/86 (Councillor) |
| Sarnia, city | | John N. Matheson | Feb 29/84-Feb 28/86 |
| | (Chairman) | Doug Bain † Mayor Merceil Saddy † John R. Lynn Ken Burchill | (Chairman) Nov 01/85-Oct 31/87 Nov 10/85-Oct. 31/87 |
| Sarnia, township | | Frank Pinsonneault | July 04/84-July 03/86 |
| | (Chairman) | Mervyn Davies Reeve Ray Whitnall † | Feb 29/84-Feb 28/86 |
| Sault Ste. Marie, city | | Wm. M. Malpass | July 01/85-June 30/87 |
| | (Chairman) | Ms. Anne Valentine Mike Sanzosti † Mayor Joe Fratesi † Hugh L. Harris | Mar 21/86-Mar 20/88 (Alderman) Mar 01/85-Feb 28/87 |

| | | |
|----------------------|--|---|
| Smiths Falls, town | Duncan J. Schoular Mayor Laurance Lee † Ms. Ann Quigley | June 12/85-June 11/87 May 09/86-May 08/88 |
| Southampton, town | Kenneth D. Brown Mayor Arthur C. Knechtel † John H. Armstrong | Nov 01/84-Oct 31/86 Nov 01/84-Oct 31/86 |
| Stratford, city | Judge J.A. Mullen * Dr. Donald S. Davis William Russell (Chairman) Mrs. Colleen Misener † Mayor Ted Blowes † | Jan 01/85-Dec 31/86 Mar 01/86-Feb 28/87 (Alderman) |
| Strathroy, town | Walter Waun Bev Earley † Mrs. Mary Hill (Chairman) Trevor John Nesbitt Mayor Thomas Wolder † | Oct 10/84-Oct 09/86 (Councillor) Oct 10/84-Oct 09/86 Mar 29/86-Mar 28/87 |
| Sturgeon Falls, town | Leonard Rancourt Mayor Michel Decaen † Brian Laflèche (Chairman) Judge L. Gratton * Dr. Jean Aubry | July 04/84-July 03/86 (Alderman) Nov 01/85-Oct 31/87 |
| Sudbury, region | Mrs. Jean McNair Hubert D. Bray Gary D. Gauthier (Chairman) R. Parker R. Symington † | July 15/84-July 14/86 May 09/86-May 08/88 Jan 16/86-Jan 15/88 (Regional Councillor) (Regional Councillor) |
| Thunder Bay, city | Wallace E. McDougall Norris E. Badanai J. Andre Nicol Lawrence Timko † Mayor Jack Masters † | June 12/85-June 11/87 May 09/86-May 08/88 May 09/86-May 08/88 (Alderman) |
| Tilbury, town | Mayor Charles F. Carrick † (Chairman) Allan H. McGuire Paul J. Bélanger | Aug 20/84-Aug 19/86 Jan 30/86-Jan 29/88 |
| Timmins, city | Dan Andreatta Gary G.L. Bonney (Chairman) Dennis Welin † Mayor Victor M. Power † Jacques R. Chénier | Feb 29/84-Feb 28/86 May 15/86-May 14/88 (Alderman) Jan 24/86-Jan 23/88 |
| Trenton, city | Mrs. Jean M. S. Hutchinson Mayor Neil Robertson † (Chairman) Robert J. Campney | Dec 12/85-Dec 11/87 Dec 01/84-Nov 30/86 |
| Vanier, city | W. Prevost (Chairman) Mayor Gisèle Lalonde † Judge Charles F. Doyle * | July 09/85-July 08/87 |
| Walkerton, town | Roger Larsen (Chairman) James Buehlow Mayor Fraser Clark † | Dec 06/84-Dec 05/86 Dec 06/84-Dec 05/86 |
| Wallaceburg, town | Thomas P. Quinlan Mayor Donald Truan † (Chairman) Mrs. Eleanor D. Fairhead Dr. W.L. Wilford † Dr. Jack R. Slaney | Jan 24/86-Jan 23/88 July 25/84-July 24/86 Nov 01/85-Oct 31/87 |

| | | |
|------------------|---------------------------------|-----------------------|
| Waterloo, region | Prov. Judge J. R. Kirkpatrick * | |
| | John K. Bell | Dec 05/85-Dec 04/87 |
| (Chairman) | Ernest F. Ritz | Dec 14/85-Dec 13/86 |
| | Gary Leadston † | (Regional Councillor) |
| | Mayor D. V. P. Cardillo † | |
| Windsor, City | Mrs. E. Patricia Alexander | May 09/86-May 08/88 |
| | John Whiteside | Mar 01/86-Feb 28/87 |
| | Thomas Toth † | (Councillor) |
| | Mayor David Burr † | |
| (Chairman) | Judge J.P. McMahon * | |
| Wingham, town | Ms. Margaret O. Bennett | July 25/84-July 24/86 |
| (Chairman) | Ian Moreland | July 25/84-July 24/86 |
| | William R. Harris † | (Deputy Reeve) |
| | Jack Kopas † | (Mayor) |
| | Jack Gillespie | July 25/84-July 24/86 |
| Woodstock, city | Douglas H. Puddicombe | Feb 29/84-Feb 28/86 |
| (Chairman) | Douglas M. Hancock | Apr 13/85-Apr 12/87 |
| | Les Cook † | (Alderman) |
| | Mayor Joe Pemder † | |
| | Thomas W. Patience | Jan 16/85-Jan 15/87 |
| York, region | David B. Bachly | Nov 01/84-Oct 31/86 |
| (Chairman) | Judge Donald Ross Shearer * | |
| | Eldred King † | |
| | Mayor Raymond Twinney † | |
| | Mrs. Margaret I. Smithyes | Jan 30/86-Jan 29/88 |

* = Provincial appointee with indefinite term.

† = Local appointee.

Note: Terms of local appointees vary greatly depending upon circumstances and this ministry has no information with regard to the local terms.

GOVERNMENT EMPLOYEES

287. Mr. McLean: Would the Premier provide a list of all individuals, including position and salary, hired in the Cabinet Office

since January 1, 1986? [Tabled May 22, 1986]

Hon. Mr. Peterson: Individuals hired since January 1, 1986:

| Name | Position | Salary Range |
|-----------------|--|----------------------|
| Bigford, F. | Administrative assistant | \$29,841 to \$35,085 |
| Chiabai, D. | Correspondence writer | 23,851 to 26,912 |
| DeJong, E. | Correspondence clerk | 21,259 to 23,772 |
| Evans, D. K. | Policy adviser | 42,981 to 53,233 |
| Finkelstein, J. | Policy adviser | 42,981 to 53,233 |
| Jacobsen, P. | Associate secretary of cabinet for executive resources | 77,900 to 91,500 |
| Noble, W. | Policy adviser | 46,840 to 58,478 |
| Wilson, S. | Executive officer | 38,797 to 47,223 |
| Sypnowich, M. | Executive co-ordinator, social policy | 62,400 to 74,200 |
| Stevens, L. | Executive co-ordinator, economic policy | 62,400 to 74,200 |
| Evans, D. G. | Executive co-ordinator, justice policy | 62,400 to 74,200 |
| Carr, M. | Assistant communications officer | 19,713 to 21,913 |
| Drolet, C. | Bilingual assistant secretary | 20,773 to 23,067 |
| Hubert, J. | Policy adviser | 46,840 to 58,478 |
| Beauregard, R. | Associate secretary of cabinet-francophone | 62,400 to 74,200 |

Of the 15 new hires, four are replacing employees who have terminated. The seven vacancies in the newly formed policy and priorities secretariat were filled. Two positions were filled in the newly formed office of executive resources. One summer student was hired for the correspondence area where volume has doubled. The vacancy for the executive director, Office of Francophone Affairs, was filled.

Note: There have also been eight terminations in the Cabinet Office.

288. Mr. McLean: Would the Premier provide a list of all individuals, including position and salary, hired in the Office of the Premier since January 1, 1986? [Tabled May 22, 1986]

Hon. Mr. Peterson: Individuals hired since January 1, 1986, Office of the Premier:

Daniels, M. L., secretary*. Salary range, \$20,773 to \$23,067.

*Transfer from Cabinet Office to Office of the Premier.

HAZARDOUS SPILL

291. Mr. Bernier: Would the Attorney General report on the government's efforts to: collect fines imposed on Kinetic Ecological Resources Ltd., which was convicted and fined on January 20, 1986, for the spilling of PCB material on sections of Highway 17 between Vermilion Bay and Kenora; collect for damages incurred and repairs made to sections of Highway 17 as a result of this chemical spill; dispose of the approximately 100 drums of PCB material salvaged from Highway 17 and now stored at a temporary Hydro site in the township of Jaffray Melick; and compensate those in the private sector who suffered financially because of the PCB spill and highway closure? [Tabled May 22, 1986]

Hon. Mr. Scott: Two fines of \$25,000 were imposed upon Kinetic Ecological Resource Group (1982) Ltd. The Ministry of the Attorney General is attempting to enforce payment of these fines but, to date, without success. The difficulty arises from the fact that the company is incorporated in Alberta and, as far as is known, has no assets in Ontario. Agents have been retained in Alberta to assist in this matter, and a report from these agents is awaited.

The Ministry of the Attorney General, on behalf of the province, is taking the necessary steps to recover the various costs associated with the cleanup and repairs arising out of the spilling

of PCB material on Highway 17 and has commenced a civil action against companies and individuals involved.

The Ministry of the Environment has advised this ministry that drums containing PCB material are currently being stored in a specially constructed building on the property of Ontario Hydro on Jones Road in Kenora. A certificate of approval under regulation 11-82 has been issued. These drums will remain at this location until an acceptable permanent disposal site has been found, or alternatively, a process to safely destroy the PCBs in the associated waste. A monitoring program has been set up with Ontario Hydro and the Ministry of the Environment to ensure that no leakage of PCBs takes place during the storage period.

The Ministry of the Environment, in its response to question 278, tabled on June 19, 1986, advised that the Husky station that was forced to close during the cleanup period was compensated by its insurance company.

Hon. Mr. Fulton: As a result of the PCB spill on April 13, 1985, Kinetic Ecological Resource Group was placed on notice by the Ministry of Transportation and Communications, May 1, 1985, regarding our intention to claim for costs resulting from the spill.

The ministry was served notice by CN Route, April 18, 1985, for damages resulting from closure of the highway. This claim was denied, and we have not heard further from CN Route.

MTC has also incurred repair costs to sections of Highway 17. The Ministry of the Attorney General and MTC continue their attempt to recover crown losses from Kinetic Resource or its insurer.

THERAPEUTIC PROCEDURES

300. Mr. D. S. Cooke: Would the Minister of Health provide a list of how many physicians are billing under G467 of the OHIP schedule of benefits for physiotherapy procedures? What was the volume of claims submitted under the schedule in 1984 and 1985? [Tabled May 29, 1986]

Hon. Mr. Elston: The code G467 in the OHIP schedule of benefits for physician services refers to miscellaneous therapeutic procedures available in physicians' offices—general practitioners and/or specialists such as psychiatrists, cardiologists, dermatologists, rheumatologists, etc.

The miscellaneous therapeutic procedures covered under code G467 include superficial

thermal therapy, deep heat, light-ultraviolet, PUVA*, electrotherapy, hydrotherapy, mechanotherapy, therapeutic exercise-physiotherapy, and location and injection of peripheral motor nerves for reduction of spasticity, including electrodiagnosis of motor point.

Information concerning the number of claims paid under code G467 for calendar 1985 is not yet complete as claims may be submitted for payment up to six months from the date of service. The total services for code G467 for the 1984 calendar year were 554,457. These services were provided by 828 physicians.

*Psoralen ultraviolet A.

| Position | Salary range |
|--|----------------------|
| Deputy minister | \$77,900 to \$91,500 |
| Secretary to the deputy minister | 24,553 to 28,747 |
| Junior secretary | 19,974 to 22,180 |
| Executive assistant to the deputy minister | 41,155 to 50,875 |
| Administrative assistant | 25,187 to 29,371 |
| Executive co-ordinator, finance and administration | 57,500 to 69,800 |

The Ministry of Financial Institutions will obtain support services from the Ministry of Consumer and Commercial Relations. The ministry is continuing to review its structure with a view to determining the most appropriate allocation of resources to protect the interests of consumers, depositors and investors.

SENIOR CITIZENS' SERVICES

304. Mr. Dean: Would the Minister without Portfolio responsible for senior citizens' affairs provide a detailed account of all costs incurred by the government of Ontario to date in the preparation of his white paper on provision of services to the elderly, including all travel expenses incurred by himself and his staff during the consultation process? [Tabled June 4, 1986]

Hon. Mr. Van Horne: The Office for Senior Citizens' Affairs incurred the following expenditures during the consultation process and preparation of the white paper on services for seniors:

Services: preparation, design, translation, typesetting and printing of white paper*—\$63,313.05. Transportation and communication: for consultation meetings in 14 communities; travel, accommodation and food—\$8,498.99. Total—\$71,812.04.

*18,000 English, 2,000 French.

ROADSITE SITES

305. Mr. Rowe: Would the Minister of Tourism and Recreation report on where the new

GOVERNMENT EMPLOYEES

301. Mr. Runciman: Will the Minister of Financial Institutions indicate the number of additional employees to be hired, permanent and/or contract, as a result of the creation of this ministry? Would the minister break this down into individual jobs with an indication of the expected salary levels? [Tabled May 29, 1986]

Hon. Mr. Kwinter: To date, the creation of the new ministry has resulted in the identification of the need for the following additional positions. Some of the positions are still in the recruitment stage.

roadside rest stops are to be located, how many will be added and at what cost? [Tabled June 4, 1986]

Hon. Mr. Fulton: In northern Ontario, the Ministry of Transportation and Communications is proposing a system of roadside rest-picnic-information sites based on spacing between major urban centres, use, physical-visual quality and facility amenities.

A primary network will be established consisting of some existing sites and some new sites to provide services within a one to one-and-one-half-hour driving time of major urban centres and/or rest areas. These primary sites will constitute a major link in the need for rest, comfort, picnic and information services to the long-distance traveller.

Most of the remaining existing sites will be retained and upgraded when necessary to form a basic system located at points of interest, scenic areas and areas with a high existing level of use.

The proposal for northern Ontario is currently in the development stages. When the specifics have been finalized, the government will be allocating funds and announcing the details of this important new tourist initiative.

In southern Ontario, various tourist rest, service and information sites are already established along the major transportation routes. The ministry is in the preliminary stages of identifying opportunities to enhance these facilities.

The primary thrust of the southern Ontario

review will be the promotion and service of tourist areas served by the major highway routes. This would be achieved by complementing the established infrastructure to suit selected tourist and other travellers' needs.

BEHAVIOUR MODIFICATION

308. Mr. Cousens: Would the Minister of Community and Social Services provide the terms of reference for his review of behaviour modification techniques in provincial institutions, specifically which institutions will be reviewed, how many clients who receive this treatment will be reviewed, and what are the approximate ages of these clients? [Tabled June 4, 1986]

Hon. Mr. Sweeney: The Ministry of Community and Social Services is currently reviewing the Standards for the Use of Behavioural Training and Treatment Procedures in Settings for the Developmentally Handicapped. This is an internal review of existing guidelines governing these procedures and will result by the end of June in an updated version for use in our facilities system. The review is of all techniques and the standards will affect all clients in every facility. It is not a specific review of the programs of individuals currently in the facility system.

The review does include an external consultation process which will seek comments from interested agencies and groups including the Ontario Psychological Association, the American Association on Mental Deficiency and the Ontario Association for the Mentally Retarded. A recent survey of the facility Resident Statistical

System (September 1985) indicated that 649 (78 children, 571 adults) out of 4,540 (14 per cent) total residents had behavioural programs.

309. Mr. Cousens: Would the Minister of Community and Social Services table information regarding the ministry's review of behaviour modification techniques in provincial institutions for disturbed youngsters and mentally retarded people? Specifically, the dates of the review, a list of individuals involved in the review, their respective positions and salaries, whether they have been hired solely for this review or have been seconded from a civil service position. How much will the review cost and how many man-hours will be spent on the review? Will public input be solicited for this review? If so, how and where? [Tabled June 4, 1986]

Hon. Mr. Sweeney: The initial part of this question has been answered in question 308.

However, the reference to "disturbed youngsters" would refer to a steering committee under the chairmanship of Dr. Benjamin Goldberg, which is preparing a report on the use of intrusive procedures for children to assist in the implementation of part VI of the Child and Family Services Act. The terms of reference for this committee are attached, as is a list of the committee members, their per diem costs and hours worked. The committee is made up of a wide range of community representatives in the social service field and is the result of the previous community consultation process on the entire bill.

The final report is expected in August, and a decision will be made at that time if further consultation is necessary.

| Consultant | Per diem rate | Per diem days | Man hours |
|---|---------------|---------------|-----------|
| *Dr. B. Goldberg Psychiatrist CPRI, London | N/A | 19 | 133 |
| *Dr. J. Sherman Psychologist Thistletown Regional Centre | N/A | 19 | 133 |
| Joel Hundert, PhD Niagara Child Dev. Centre | \$350 | 13.57 | 95-½ |
| Lois A. Dobson, PhD Clinical psychologist Windsor Health Unit | \$390 | 8 | 56 |
| Brian Weagant Barrister and Solicitor Justice for Children Toronto | \$350 | 17.50 | 122-½ |

| Consultant | Per diem rate | Per diem days | Man hours |
|---|---------------|---------------|-----------|
| Dorothy Griffiths MA Psychology York Central Hospital Toronto | \$390 | 15 | 105 |
| Dr. Martha Keller Psychologist University of Western Ontario | \$390 | 15 | 105 |
| Heather Katarynych Senior counsel Metro CAS, Toronto | \$250 | 19 | 133 |
| Dr. Susan Bradley Psychiatrist Hospital for Sick Children Toronto | \$390 | 7 | 49 |
| Dr. Alec Bryans Health Sciences Queen's University | \$400 | 3 | 21 |
| Dr. Charles Gowdey Professor Department of Pharm. & Tox. University of Western Ontario | \$262.50 | 6 | 42 |
| Dr. Frank Turner Chairman Department of Social Work Atkinson College York University Toronto | \$500 | 13 | 91 |

*Seconded from ministry—PD do not apply.

All other members are hired solely for the review.

Dates of meetings: January 14, 28 and 29; February 4, 18, and 19; March 4, 18 and 19; April 1, 15 and 16; May 3 and 20; June 3 and 11, 1986.

Estimate of report-writing, publication and consultation costs is approximately \$10,000.

Total cost should be approximately \$66,000.

Steering committee began meeting January 14, 1986.

Review should be completed by the end of June.

Report should be ready mid-July for the consultation process, which will take place during the summer.

There has been a selective consultation throughout the process. Consultation process will include relevant umbrella groups and interested individuals and agencies.

Comments will be solicited and collated. Entire package to be submitted to the minister at the end of August.

Terms of reference: steering committee

Extraordinary measures—Chair: Dr. Ben Goldberg

Purpose of the steering committee: The purpose of the steering committee is to provide expert consulting services to assist the ministry in preparing for full implementation of part VI sections of the new Child and Family Services Act-MCSS—that govern the use of intrusive procedures, psychotropic drugs and secure isolation, in relation to children in ministry-operated and/or funded programs.

Background: During the public consultation process and parliamentary debate respecting the proposed Child and Family Services Act, professional associations, client groups, parents and politicians strongly supported the concept of a professional advisory board: that would serve to safeguard the best interests and rights of children in treatment; that would provide for community involvement in public policy; that would ensure the minister obtained the best medical and other

professional expertise available; and that would provide objective advice to the minister and review the practices of service providers independently and objectively.

The new legislation reflects this consensus of opinion, and when proclaimed, will provide greater control over the use of extreme methods of treatment in ministry services. Such provisions include: requirements that specific consents to treatment be obtained prior to service; requirements that service providers obtain the minister's approval to use a specific technique; requirement that service providers establish internal review teams to assess each proposed use of an intrusive procedure; regulations to define intrusive procedures and psychotropic drugs and to prescribe their use, and standards for secure isolation rooms and placement in or release from secure isolation; and authority for the minister to establish an advisory board comprised of professionals with special expertise to assist the minister in the implementation and administration of the new law.

Establishment of a formalized professional advisory board under section 128 is not mandatory and may be done at the minister's discretion.

As a first step toward the eventual establishment of the formal board set out in section 128, a steering committee will be formed to develop policy recommendations under the chairmanship of Dr. Ben Goldberg.

Objectives of the steering committee: The objectives of the steering committee are to develop recommendations to the minister regarding: definitions of intrusive procedures and psychotropic drugs and prescriptions to govern their use; a policy to govern the use of manual restraint; criteria by which the minister would grant, amend, suspend and revoke approval of a service provider to use an intrusive procedure; a roster of additional professionals with unique expertise, e.g., in autism, to provide advice as needed; and a strategy for the future role and operation of a formal professional advisory board as set out in CFSA, part VI, sections 128-129.

In the process of developing recommendations, the committee must address the implications for implementation and operation of proposed policies to ensure their feasibility; must consult with appropriate colleagues including ministry personnel, e.g., facility administrators and professional staff, professional associations and regulatory bodies, e.g., Ontario Medical Association, Ontario Psychological Association, Ontario Association for the Mentally Retarded;

and must ensure that recommendations conform to the intent and content of the Child and Family Services Act.

Structure/operation: Under the chairmanship of Dr. Ben Goldberg, the steering committee will be comprised of approximately eight or nine members and such additional professionals as required on an ad hoc basis. The committee will function on a task-oriented, time-limited basis.

Administrative responsibility for the steering committee will be assigned to the co-ordinator of children's services, operational support branch, and may not be delegated. The co-ordinator, who has extensive child welfare experience, will co-ordinate committee activities, administer contracts, financial compensation and expenditure reimbursement and provide support staff from within the branch.

Operating procedures of the committee will be developed by the co-ordinator and the committee chairman, i.e., frequency of meetings, establishing priorities, delegation of tasks and responsibilities and detailed terms of reference.

Members of the committee would not necessarily be appointed to a formal professional advisory board established in the future.

Methodology: The committee chairman and co-ordinator will determine the appropriate method for ensuring that written recommendations are prepared within the required time frame. The committee should utilize the recent consultant's report that addressed the use of intrusive procedures and psychotropic drugs, the ministry standards for behavioural training and treatment, the Child and Family Services Act and other appropriate data available within the ministry. Additional research should be undertaken as necessary.

The committee must also consult with appropriate colleagues, including ministry personnel, e.g., facility administrators and professional staff, Legal Services, Children's Legislation Unit, and professional associations and regulatory bodies, e.g., Ontario Medical Association, Ontario Association for Mentally Retarded and Ontario Board of Examiners in Psychology.

Time frame: The estimated time required for the steering committee to engage in necessary consultation and develop recommendations is three months, commencing November 15 to December 15, 1985; resuming January 1, 1986, and concluding March 1, 1986.

WATER QUALITY

311. Mrs. Grier: Would the Minister of the

Environment provide the data for drinking water quality of other cities or regions in the world that are used as a basis of comparison with Toronto's drinking water by officials of his ministry? Will the minister provide the most recent and most comprehensive data available of the testing done on Toronto drinking water by his ministry? Will the minister provide the data which shows the decline of dioxin in the Great Lakes as publicly stated by officials of his ministry? [Tabled June 10, 1986]

Hon. Mr. Bradley:

Data for drinking water quality—other jurisdictions

While no comprehensive database exists which documents drinking water quality on a global basis, the Ministry of the Environment closely monitors and references the drinking quality standards, criteria, objectives and guidelines of contributing international jurisdictions and agencies including the World Health Organization, the US Environmental Protection Agency and the USSR.

The quality of Metro Toronto water has been tested rigorously by the municipality and the ministry over the past 15 years and is compared to the Ontario Drinking Water Objectives, as well as to the most stringent international standards.

Both the occurrence and levels of contaminants in Metro Toronto drinking water are extremely low. Contaminants of concern are

generally not detected, and when detected, are most often at trace levels, well below the most stringent international standards.

In comparison with international standards, Metro Toronto's drinking water is of high quality.

Most recent and comprehensive drinking water data for Metro Toronto and area

The most recent Ministry of the Environment data on R. L. Clark and R. C. Harris plants were taken in conjunction with the special dioxin monitoring program in late January 1986. These results are attached.

Also enclosed is a table of dioxin sampling results for Metro Toronto's water treatment plants from June 1983 to February 1986.

The ministry began monthly sampling of three of Metro Toronto's water treatment plants (R. L. Clark, R. C. Harris and Easterly) as part of its drinking water surveillance program, DWSP, on June 16, 1986, to supplement Metro Toronto's long-term routine drinking water monitoring program. The DWSP data will be made available on a timely basis.

Data showing dioxin levels

The dioxin levels in the fishery of Lake Ontario as shown below are documented in the recently released Guide to Eating Ontario Sport Fish—1986, table 1, Dioxin in Lake Ontario Fish, page 36.

**2,3,7,8-TCDD (dioxin) in Lake Ontario Fish
(values in parts per trillion—ppt)**

| Species | Year | | | |
|----------------|------|------|------|------|
| | 1981 | 1982 | 1983 | 1984 |
| Lake trout | 27.4 | — | — | ND |
| Brown trout | 13.5 | — | — | ND |
| Rainbow trout | 4.3 | ND | — | — |
| Coho salmon | 15.0 | — | ND | — |
| Chinook salmon | 8.0 | — | ND | — |

ND — not detected.

Health and Welfare Canada guideline for 2,3,7,8-TCDD in fish is 20 ppt.

Metro Toronto water treatment plants: dioxin results

The following results have been reported for the Metro Toronto water treatment plants, following analysis for dioxins:

| | | | |
|--------------|-------------------|---------|----|
| R. C. Harris | February 17, 1986 | Raw | ND |
| | | Treated | ND |
| R. L. Clark | January 30, 1986 | Raw | ND |
| | | Treated | ND |

| | | | |
|----------------|-------------------|---------|-------|
| Toronto Island | May 21, 1985 | Raw | ND |
| | | Treated | ND |
| Toronto Island | September 5, 1984 | Raw | ND |
| | | Treated | ND |
| R. L. Clark | September 8, 1983 | Raw | ND |
| | | Treated | ND |
| Easterly | June 9, 1983 | Raw | ND(1) |
| | | Treated | ND(1) |
| R. C. Harris | June 6, 1983 | Raw | ND(1) |
| | | Treated | ND(1) |

These results are consistent with those being found in other locations in Lake Ontario and in the Great Lakes in general.

(1)—Data for three congener groups confirmed by Health and Welfare Canada.

ND — Not detected at a detection limit of approximately 10 parts per quadrillion—ppq—for six chlorinated dibenzo-p-dioxin congener concentrations and five chlorinated dibenzo-furan congener concentrations.

SMALL BUSINESS DEVELOPMENT CORPORATIONS PROGRAM

312. Mr. Barlow: Would the Minister of Revenue provide the exact amount of budgeted money used by the Small Business Development Corporations program during the period between October 24, 1985, and May 13, 1986, specifically by region? [Tabled June 10, 1986]

Hon. Mr. Nixon: The allocated budget for incentives under the Small Business Development Corporations program for 1985-86 was \$30 million, distributed as follows: \$9 million, northern and eastern fund; \$6 million, new enterprise fund; \$15 million, general fund.

During the period from October 24, 1985, to

May 13, 1986, a total of \$9,253,479.83 in incentive grants was paid to people investing in small business development corporations, with the breakdown as follows: \$2,485,261, northern and eastern fund; \$1,266,905.91, new enterprise fund; \$5,501,312.92, general fund.

During the same period, SBDCs, in turn, invested a total of \$22,729,845 in small businesses: \$10,885,134, central Ontario; \$2,949,202, eastern Ontario; \$4,123,094, Metro Toronto; \$3,467,310, northern Ontario; \$1,305,105, southwest Ontario.

BOARD OF INDUSTRIAL LEADERSHIP AND DEVELOPMENT

319. Mr. Brandt: Would the Minister of Industry, Trade and Technology list the programs previously funded under the BILD program that are now continued under this ministry, including the funds allocated? [Tabled June 12, 1986]

Hon. Mr. O'Neil: Programs previously funded under the BILD program and now continued under the Ministry of Industry, Trade and Technology are listed below:

| Program | 1986-87 allocation |
|--|--------------------|
| A. Technology centres | \$25,515,000 |
| B. Innovation centres | 2,225,000 |
| C. Community small business centres (previously Enterprise centres) | 2,025,000 |
| D. Automotive parts investment fund | 16,460,000 |
| E. Special industrial assistance | 83,428,700 |
| F. Biotechnology development (previously Allelix) | 2,540,000 |
| G. Loans for high-technology development (previously high-technology financing) | 5,500,000 |
| H. IDEA Corp. | 972,400 |
| Total | \$138,666,100 |

GOVERNMENT CONTRACTS

324. Mr. Villeneuve: Would each minister provide a detailed summary of all contracts and their amounts entered into by their respective ministries since June 26, 1985? [Tabled June 18, 1986]

Hon. Mr. Nixon: A record of total payments made to any individual or company over the fiscal year is included in the Public Accounts of Ontario where the total payment to the individual or company exceeds \$25,000 for the fiscal year. This includes payments made for goods or services provided by contract. We are unable to supplement this information because of the inordinate costs involved.

GO TRANSIT

325. Mr. Ashe: Would the Minister of Transportation and Communications provide documentation indicating the anticipated completion date of the GO train line to Ajax? [Tabled June 18, 1986]

Hon. Mr. Fulton: GO train service to Ajax will start at the same time as the service to Whitby, namely, late in 1988. Please refer to the answer to question 326.

326. Mr. Ashe: Would the Minister of Transportation and Communications provide documentation indicating the anticipated completion date of the GO train line to Whitby? [Tabled June 18, 1986]

Hon. Mr. Fulton: As I announced last October, direct GO train service between Whitby and Toronto is scheduled to start in late 1988. All phases of the project are on schedule, with one of the major construction contracts scheduled to be undertaken this year already awarded and the other two to be awarded in the next few weeks. As well, we have recently placed orders for new bilevel coaches and locomotives for this new service.

327. Mr. Cureatz: Would the Minister of Transportation and Communications provide documentation indicating the anticipated completion date of the GO train line to Oshawa? [Tabled June 18, 1986]

Hon. Mr. Fulton: I have indicated that this government is committed to extending GO train service through to Oshawa. To that end, we are working with both CN Rail and CP Rail, as well as the planners in the region of Durham and the city of Oshawa, to determine the best routing for the service. We must also satisfy the environmental concerns. When we have those answers,

we can address the scheduling of funding and construction and set a date for the extension of the GO train to Oshawa.

TRIP TO AMHERSTBERG

334. Mr. Reville: Would the Minister of Natural Resources provide the following information: the itinerary, passenger list and purpose of the trip for the MNR Twin Otter aircraft that transported Gardner Church, William Grenier, Robert Elms and possibly others to a tenant meeting in Amherstburg, Ontario, on or about June 20; the all-inclusive cost of the trip, including charges for the aircraft and flight crew and whether these were charged to the Ministry of Housing or to other ministries; which individuals, organizations or ministries paid for the trip and, in each case, the amount paid? [Tabled June 26, 1986]

Hon. Mr. Curling: Received on June 9 a verbal invitation from Bob Patrick* and Virginia Broughton* to address the Amherstburg Tenants' Council meeting in Amherstburg, on June 20.

Based upon a recommendation made by the rent review advisory committee, the Ministry of Housing agreed to have a tenant and landlord representation present at all meetings to which ministry staff are invited to discuss rent review legislation.

Therefore, the invitation issued by the Amherstburg Tenants' Council was extended to William Grenier, landlord representative, and Robert Elms, tenant representative from southwestern Ontario, to attend the Amherstburg Tenants' Council meeting with Gardner Church on Friday evening, June 20.

A plane was chartered through MNR leaving Island Airport with Gardner Church and William Grenier at 4:15 p.m. to London to pick up Robert Elms, departed London at 5:15 p.m. and arrived in Windsor at 6 p.m. Returning to London at 11:30 p.m. and arriving in Toronto at 1 a.m., at a total cost of \$793.

Commercially scheduled flights would have a total cost of \$688—two times \$214 plus 10 per cent tax return Toronto-Windsor and \$180 plus 10 per cent tax return London-Windsor and would have necessitated an overnight stay in Windsor involving costs for accommodation—three times \$60—plus breakfast, approximately \$25, bringing the total cost to \$873.

All costs of this trip were charged to and paid by the Ministry of Housing.

*Members of the Amherstburg Tenants' Council.

RESPONSES TO PETITIONS

WOMEN IN CRISIS (ALGOMA INC.)

Sessional paper 42, re Women in Crisis (Algoma) Inc.

Hon. Mr. Sweeney: I wish to advise that my ministry is well aware of the circumstances surrounding the issue that may have led to the aforementioned petition. At the outset, I should state that our financial support to this organization is limited to some \$25,000 plus our portion of transfer payments to the municipality of Sault Ste. Marie under the General Welfare Assistance Act. The balance of their funding is from the United Way in that area.

The Women in Crisis (Algoma) Inc. held its annual general meeting recently, and it is my understanding that the executive director was terminated with cause shortly thereafter. In addition, four staff members of the crisis home were requested to reapply for their positions, as the agency's files indicated that the required hiring process had not been followed.

As a result of these actions, a concerned group of citizens organized themselves and began to voice their concerns publicly, namely, that the board of directors of the organization was not properly constituted, did not have memberships and that actions taken against staff were inappropriate.

My ministry's staff at the district office in Sault Ste. Marie has reviewed the allegations with the board of directors to determine whether any of the issues raised are substantive. It is my understanding that the board's own legal counsel has reviewed their constitution and bylaws and has confirmed that they are in compliance with their bylaws and are duly constituted. The board of directors, however, accepts that a process for accessing memberships requires clarification and will undertake to appoint a membership chairman immediately to remedy this expressed concern.

Personnel and administrative policies and practices were deemed to be in order and were applied in the dismissal with cause of the executive director and in the reapplication process that four staff members were required to undergo; two of whom have since been reconfirmed. The rights of the employees to appeal and/or utilize the agency's grievance procedures have been communicated to the affected individuals; however, no grievances have been recorded to date. The former executive director has retained legal counsel in regard to dismissal.

It is significant to note that the funding agents, namely, the Department of Social Services of the municipality of Sault Ste. Marie, the United Way organization of the same city, as well as my ministry's district office, are satisfied that the women in crisis operation is functioning effectively and efficiently and are therefore supporting the right of the board of directors to manage the program.

At the request of the local member of the Legislative Assembly, Mr. Morin-Strom, staff of my district office facilitated a meeting between the parties involved in this situation; however, Mr. Morin-Strom and the concerned citizens did not confirm their attendance for a proposed April 25, 1986, meeting.

At the request of the concerned citizens, my ministry's district office staff met with four members of this group on May 14, 1986, and as a result, were requested to facilitate a joint meeting between the concerned citizens and the board of directors to provide the opportunity to voice concerns regarding the operation of the crisis home. My staff arranged such a meeting on the evening of May 20, 1986. Present were four representatives from the concerned citizens, the same number from the board of directors of the organization, plus two of my ministry's district office staff.

I am advised that the discussion that occurred at the said meeting centred around the availability of memberships, whether the board is properly constituted and the circumstances surrounding the dismissal of the executive director and the request that the four staff members reapply.

The board responded to all issues raised and offered every assurance that memberships are available, the board of directors is properly constituted as outlined by its own legal counsel and the circumstances surrounding the dismissal of the executive director and the reasons for four staff members being asked to reapply for their positions are in accordance with the agency's policy.

The meeting concluded with apparent agreement that both parties would continue their dialogue on issues of mutual concern. They also acknowledged an area of common ground that neither party wished to see the good name of this program maligned to the detriment of those it strives to service.

Mr. Morin-Strom met with the president of the board and the chairman of personnel on Friday, May 23, 1986. Similar issues were discussed.

My ministry's position is that the board operates within its constitution and bylaws and

follows appropriate personnel and administrative policies and practices, and continues to maintain sound financial management.

The program has a high community profile and has experienced, on a fairly consistent basis, near 100 per cent occupancy in its provision of a range of quality residential and outreach services to victims of family violence.

ABORTION CLINICS

Sessional paper 59, re "abortuaries."

Hon. Mr. Scott: I am responding to the petition presented to the House on May 20, by the member for Brampton (Mr. Callahan). I am well aware of the media reports involving Dr. Robert Scott's intention to open an abortion clinic in Toronto and to perform abortions without the prior approval of a therapeutic abortion committee in an accredited or approved hospital within the meaning of the Criminal Code of Canada. The Metro Toronto Police Department is investigating this matter. If the police conclude, on reasonable and probable belief, that an offence or offences are being committed in contravention of the Criminal Code, any charges on which a justice of the peace issues process will be prosecuted.

SALE OF BEER AND WINE

Sessional paper 71, re beer and wine in corner stores.

Hon. Mr. Kwinter: This acknowledges the petition of June 5, 1986, expressing the views of the members of the United Church, residing in the Lindsay Presbytery of the Bay of Quinte

conference, on the sale of beer and wine in independent retail food stores.

As the petitioners may be aware, the government is proceeding with its commitment to introduce legislation to broaden the distribution system for these products. Our intention is to modernize the approach to liquor handling in the province and expand opportunities for small business. We believe there will be many positive benefits through enhanced competition.

Since last summer, I have been consulting with various interested parties from business, labour and the social and health field, including groups such as the Addiction Research Foundation and Alcohol and Drug Concerns Inc., on this matter. I have also received a great deal of correspondence on the subject. Some of the groups and individuals I met with, and some of those who wrote me, expressed concerns similar to those of the petitioners. Others have expressed strong support for the initiative.

As the policy comes forward for public scrutiny and for debate in the Legislature, it will be evident that we have made every effort to address the issues in a sensitive and responsible manner.

INTERIM ANSWER

Miss Stephenson: Hon. Mr. Nixon—The ministry will require additional time to complete the government-wide canvass of information needed to answer this question in the detail requested. An answer should be available on or about August 29, 1986.

APPENDIX B

ALPHABETICAL LIST OF MEMBERS*

(125 members)

Second Session, 33rd Parliament

Lieutenant Governor: Hon. L. M. Alexander, PC, QC**Speaker: Hon. H. A. Edighoffer****Clerk of the House: R. G. Lewis, QC**

Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
 Ashe, G. L. (Durham West PC)
 Baetz, R. C. (Ottawa West PC)
 Barlow, W. W. (Cambridge PC)
 Bennett, C. F. (Ottawa South PC)
 Bernier, L. (Kenora PC)
 Bossy, M. L. (Chatham-Kent L)
Bradley, Hon. J. J., Minister of the Environment (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breagh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Callahan, R. V. (Brampton L)
 Caplan, Hon. E. (Oriole L)
 Charlton, B. A. (Hamilton Mountain NDP)
Conway, Hon. S. G., Minister of Education (Renfrew North L)
 Cooke, D. R. (Kitchener L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cordiano, J. (Downsview L)
 Cousens, W. D. (York Centre PC)
 Cureatz, S. L. (Durham East PC)
Curling, Hon. A., Minister of Housing (Scarborough North L)
 Davis, W. C. (Scarborough Centre PC)
 Dean, G. H. (Wentworth PC)
Eakins, Hon. J. F., Minister of Tourism and Recreation (Victoria-Haliburton L)
Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Eves, E. L. (Parry Sound PC)
 Ferraro, R. E. (Wellington South L)
 Fish, S. A. (St. George PC)
 Foulds, J. F. (Port Arthur NDP)
Fulton, Hon. E., Minister of Transportation and Communications (Scarborough East L)
 Gigantes, E. (Ottawa Centre NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
Grandmaître, Hon. B. C., Minister of Municipal Affairs (Ottawa East L)

Gregory, M. E. C. (Mississauga East PC)
 Grier, R. A. (Lakeshore NDP)
 Grossman, L. S. (St. Andrew-St. Patrick PC)
 Guindon, L. B. (Cornwall PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Hart, C. E. (York East L)
 Hayes, P. (Essex North NDP)
 Henderson, D. J. (Humber L)
 Hennessy, M. (Fort William PC)
 Jackson, C. (Burlington South PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services (Kingston and the Islands L)
 Knight, D. S. (Halton-Burlington L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations (Wilson Heights L)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
 Leluk, N. G. (York West PC)
 Lupusella, A. (Dovercourt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 Mancini, R. (Essex South L)
 Marland, M. (Mississauga South PC)
 Martel, E. W. (Sudbury East NDP)
 McCaffrey, R. B. (Armourdale PC)
 McCague, G. R. (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McFadden, D. J. (Eglinton PC)
 McGuigan, J. F. (Kent-Elgin L)
 McKessock, R. (Grey L)
 McLean, A. K. (Simcoe East PC)
 McNeil, R. K. (Elgin PC)
 Miller, F. S. (Muskoka PC)
 Miller, G. I. (Haldimand-Norfolk L)
 Mitchell, R. C. (Carleton PC)
 Morin, G. E., Deputy Chairman of Committee of the Whole House (Carleton East L)
 Morin-Strom, K. (Sault Ste. Marie NDP)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)

Newman, B. (Windsor-Walkerville L)
Nixon, Hon. R. F., Treasurer of Ontario
 and Minister of Economics and Minister of
 Revenue (Brant-Oxford-Norfolk L)
 O'Connor, T. P. (Oakville PC)
 Offer, S. (Mississauga North L)
O'Neil, Hon. H. P., Minister of Industry, Trade
 and Technology (Quinte L)
 Partington, P. (Brock PC)
Peterson, Hon. D. R., Premier and President of
 the Council, Minister of Intergovernmental
 Affairs and Minister of Northern Affairs and
 Mines (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pierce, F. J. (Rainy River PC)
 Poirier, J. (Prescott-Russell L)
 Pollock, J. (Hastings-Peterborough PC)
 Polsinelli, C. (Yorkview L)
 Pope, A. W. (Cochrane South PC)
 Pouliot, G. (Lake Nipigon NDP)
 Rae, R. K. (York South NDP)
 Ramsay, D. (Timiskaming NDP)
 Reville, D. (Riverdale NDP)
 Reycraft, D. R. (Middlesex L)
Riddell, Hon. J. K., Minister of Agriculture and
 Food (Huron-Middlesex L)
 Rowe, W. E. (Simcoe Centre PC)
 Runciman, R. W. (Leeds PC)
Ruprecht, Hon. T., Minister without Portfolio
 (Parkdale L)
 Sargent, E. C. (Grey-Bruce L)
Scott, Hon. I. G., Attorney General (St.
 David L)
 Sheppard, H. N. (Northumberland PC)
 Shymko, Y. R. (High Park-Swansea PC)
 Smith, D. W. (Lambton L)
 Smith, E. J. (London South L)
Sorbara, Hon. G. S., Minister of Colleges and
 Universities and Minister of Skills Develop-
 ment (York North L)
 South, L. (Frontenac-Addington L)
 Stephenson, B. M. (York Mills PC)
 Sterling, N. W. (Carleton-Grenville PC)
 Stevenson, K. R. (Durham-York PC)
 Swart, M. L. (Welland-Thorold NDP)
Sweeney, Hon. J., Minister of Community and
 Social Services (Kitchener-Wilmot L)
 Taylor, J. A. (Prince Edward-Lennox PC)
 Timbrell, D. R. (Don Mills PC)
 Treleaven, R. L., Deputy Speaker and Chair-
 man of Committee of the Whole House
 (Oxford PC)
 Turner, J. M. (Peterborough PC)
Van Horne, Hon. R. G., Minister without
 Portfolio (London North L)

Villeneuve, N. (Stormont, Dundas and Glen-
 garry PC)
 Ward, C. C. (Wentworth North L)
 Warner, D. W. (Scarborough-Ellesmere NDP)
 Wildman, B. (Algoma NDP)
 Wiseman, D. J. (Lanark PC)
Wrye, Hon. W. M., Minister of Labour
 (Windsor-Sandwich L)
 Yakabuski, P. J. (Renfrew South PC)

MEMBERS OF THE EXECUTIVE COUNCIL

Peterson, Hon. D. R., Premier and President of
 the Council, Minister of Intergovernmental
 Affairs and Minister of Northern Affairs and
 Mines
 Nixon, Hon. R. F., Treasurer of Ontario
 and Minister of Economics and Minister of
 Revenue
 Conway, Hon. S. G., Minister of Education
 Bradley, Hon. J. J., Minister of the Environ-
 ment
 Scott, Hon. I. G., Attorney General
 Riddell, Hon. J. K., Minister of Agriculture and
 Food
 Eakins, Hon. J. F., Minister of Tourism and
 Recreation
 Kerrio, Hon. V. G., Minister of Natural Re-
 sources and Minister of Energy
 O'Neil, Hon. H. P., Minister of Industry, Trade
 and Technology
 Sweeney, Hon. J., Minister of Community and
 Social Services
 Elston, Hon. M. J., Minister of Health
 Wrye, Hon. W. M., Minister of Labour
 Grandmaitre, Hon. B. C., Minister of Municipal
 Affairs
 Curling, Hon. A., Minister of Housing
 Fulton, Hon. E., Minister of Transportation and
 Communication
 Keyes, Hon. K. A., Solicitor General and
 Minister of Correctional Services
 Kwinter, Hon. M., Minister of Consumer and
 Commercial Relations
 Munro, Hon. L. O., Minister of Citizenship and
 Culture
 Sorbara, Hon. G. S., Minister of Colleges and
 Universities and Minister of Skills Develop-
 ment
 Van Horne, Hon. R. G., Minister without
 Portfolio
 Ruprecht, Hon. T., Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Cordiano, J., assistant to the Minister of
 Colleges and Universities (Downsview L)

Epp, H. A., assistant to the Treasurer (Waterloo North L)
 Ferraro, R. E., assistant to the Minister of Industry, Trade and Technology (Wellington South L)
 Haggerty, R., assistant to the Minister of Government Services (Erie L)
 Henderson, D. J., assistant to the Minister of Community and Social Services (Humber L)
 Mancini, R., assistant to the Premier (Essex South L)
 McGuigan, J. F., assistant to the Minister of Natural Resources and the Minister of Energy (Kent-Elgin L)
 McKessock, R., assistant to the Solicitor General and Minister of Correctional Services (Grey L)
 Miller, Mr. G. I., assistant to the Minister of Agriculture and Food (Haldimand-Norfolk L)
 Offer, S., assistant to the Minister of Consumer and Commercial Relations (Mississauga North L)
 Poirier, J., assistant to the Minister of the Environment (Prescott-Russell L)
 Polsinelli, C., assistant to the Minister of Labour (Yorkview L)
 Reycraft, D. R., assistant to the Minister of Education (Middlesex L)
 Sargent, E. C., assistant to the Minister of Tourism and Recreation (Grey-Bruce L)
 Ward, C. C., assistant to the Minister of Health (Wentworth North L)

STANDING COMMITTEES

Administration of justice: chairman, Mr. Brandt; vice-chairman, Ms. Fish; members, Messrs. Callahan, D. R. Cooke, Ms. Gigantes, Ms. Hart, Messrs. O'Connor, Partington, Polsinelli, Vileneuve and Warner; clerk, L. Mellor.
 Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Cordiano; members, Messrs. Ashe, Barlow, Bossy, Foulds, Haggerty, McFadden, Morin-Strom, Sargent and Miss Stephenson; clerk, L. Mellor.
 General government: chairman, Mr. McCague; vice-chairman, Mr. Dean; members, Ms. Bryden, Messrs. Cousens, Guindon, Ms. Hart, Messrs. Henderson, McKessock, Newman, Pollock and Pouliot; clerk, D. Deller.
 Government agencies: chairman, Mr. Gregory; vice-chairman, Mr. Lane; members, Messrs.

Epp, Grande, Leluk, Mancini, Mrs. Marland, Messrs. Rowe, Sargent, Ms. E. J. Smith and Mr. Swart; clerk, D. Arnott.

Legislative Assembly: chairman, Mr. Breaugh; vice-chairman, Mr. Mancini; members, Messrs. Bossy, J. M. Johnson, Martel, Morin, Newman, Sterling, Treleaven, Turner and Warner; clerk, L. Mellor; assistant clerk, Todd Decker.

Ombudsman: chairman, Mr. McNeil; vice-chairman, Mr. Sheppard; members, Messrs. Bossy, Hayes, Henderson, Hennessy, McLean, Morin, Newman, Philip and Shymko; clerk, T. Decker.

Public accounts: chairman, Mr. Runciman; vice-chairman, Mr. Gillies; members, Messrs. Epp, Ferraro, Gregory, Harris, Philip, Polsinelli, Pope, D. W. Smith and Wildman; clerk, D. Arnott.

Regulations and private bills: chairman, Mr. Callahan; vice-chairman, Mr. Haggerty; members, Messrs. Charlton, Cordiano, Cureatz, Ferraro, Hennessy, McKessock, Morin-Strom, Shymko and Wiseman; clerk, D. Deller.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Ramsay; members, Messrs. Bernier, Hayes, Knight, McGuigan, Pierce, D. W. Smith, South, Stevenson and Taylor; clerk, T. Decker.

Social development: chairman, Mr. R. F. Johnston; vice-chairman, Mr. Reville; members, Messrs. Allen, Andrewes, Baetz, Davis, Jackson, G. I. Miller, Offer, Reycraft and Ward; clerk, F. Carrozza.

SELECT COMMITTEES

Economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. McGuigan; members, Messrs. Barlow, Cordiano, Ferraro, Knight, Mackenzie, McFadden, Morin-Strom, Miss Stephenson and Mr. Taylor; clerk, D. Arnott.

Energy: chairman, Mr. Andrewes; members, Messrs. Ashe, Charlton, Cureatz, Gordon, Mrs. Grier, Messrs. Haggerty, McGuigan, Polsinelli, Taylor and Ward; clerk, F. Carrozza.

*The lists in this appendix, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Thursday, July 10, 1986

Members' statements

| | |
|---|------|
| Alleged conflict of interest, Mr. Andrewes | 2326 |
| Tabling of information, Mr. Martel | 2327 |
| Back-benchers' questions, Mr. Callahan | 2327 |
| Tabling of information, Mr. McLean | 2327 |
| Northern development, Mr. Morin-Strom | 2327 |
| Appointments in public sector, Mr. Rowe | 2328 |
| Northern development, Mr. Foulds | 2328 |

Statements by the ministry and responses

| | |
|--|------|
| Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy: | |
| Surveying, Mr. Bernier | 2328 |
| O'Neil, Hon. H. P., Minister of Industry, Trade and Technology: | |
| Innovation Ontario Corp., Mr. Brandt, Mr. Morin-Strom | 2329 |
| Insurance rates, Mr. Brandt | 2330 |
| Scott, Hon. I. G., Attorney General: | |
| Crown employees, Mr. O'Connor, Mr. Rae | 2331 |
| Wrye, Hon. W. M., Minister of Labour: | |
| Unemployment insurance, Mr. Mackenzie | 2333 |

Oral questions

| | |
|---|------|
| Bradley, Hon. J. J., Minister of the Environment: | |
| Landfill site, Mr. McCague | 2343 |
| Environment Canada, Mr. Mancini | 2344 |
| Curling, Hon. A., Minister of Housing: | |
| Radioactive soil, Mrs. Grier | 2341 |
| Elston, Hon. M. J., Minister of Health: | |
| Extra billing, Mr. Grossman | 2334 |
| Doctors' fees, Mr. Rae | 2338 |
| Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions: | |
| Securities industry, Ms. Hart | 2340 |
| Insurance rates, Mr. Jackson | 2342 |
| Pension funds, Mr. McClellan | 2342 |
| Pension funds, Mr. Rae, Mr. McClellan | 2343 |
| Munro, Hon. L. O., Minister of Citizenship and Culture: | |
| Historical preservation, Mr. Knight | 2341 |
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet: | |
| Alleged conflict of interest, Mr. Brandt | 2339 |
| Rental housing protection legislation, Mr. Stevenson | 2340 |

O'Neil, Hon. H. P., Minister of Industry, Trade and Technology:

Free trade, Ms. Hart 2342

Scott, Hon. I. G., Attorney General:

Abortion clinics, Mr. Grossman 2336

Conflict of interest, Mr. Rae 2337

Wrye, Hon. W. M., Minister of Labour:

Occupational health and safety, Mr. Martel 2339

Petitions

Sale of beer and wine, Mr. Callahan, tabled 2344

Ontario Humane Society, Mr. Callahan, tabled 2345

Sale of beer and wine, Mr. Partington, tabled 2345

Tax increases, Mr. Haggerty, tabled 2345

Sale of beer and wine, Mr. Cousens, tabled 2345

Gasoline prices, Mr. Cousens, tabled 2345

Vehicular traffic, Mr. Cousens, tabled 2346

Naturopathy, Mr. Cousens, tabled 2346

Gill netting, Mr. Haggerty, tabled 2346

Sale of beer and wine, Mr. McCague, Mr. Offer, tabled 2345

Sidewalks, Mr. Cousens, tabled 2346

Reports by committees

Standing committee on general government, Mr. McCague, adjourned 2346

Standing committee on general government, Mr. McCague, agreed to 2346

Standing committee on resources development, Mr. Laughren, tabled 2346

Motions

Committee business, Mr. Nixon, agreed to 2370

Committee reports, Mr. Nixon, agreed to 2371

Summer sittings, Mr. Nixon, agreed to 2371

Committee membership, Mr. Nixon, agreed to 2372

Adjournment of House, Mr. Nixon, agreed to 2372

First readings

Surveyors Act, Bill 127, Mr. Kerrio, agreed to 2347

Employment Standards Amendment Act, Bill 128, Mr. Wrye, agreed to 2347

Toronto Hospital Act, Bill 129, Mr. Elston, agreed to 2347

Gold Clauses Repeal Act, Bill 130, Mr. Nixon, agreed to 2347

Assessment Amendment Act, Bill 131, Mr. Nixon, agreed to 2347

Labour Relations Amendment Act, Bill 132, Mr. Mackenzie, agreed to 2347

Second readings

Health Disciplines Amendment Act, Bill 109, Mr. Elston, Mr. Andrewes, Mr. D. S. Cooke, agreed to 2312

Public Sector Pay Equity Act, Bill 105, Mr. Wrye, Ms. Fish, Ms. Gigantes, Mr. Laughren, agreed to 2312

Family Law Amendment Act, Bill 111, Mr. Scott, Mr. O'Connor, Ms. Gigantes, agreed to 2369

Metropolitan Toronto Police Force Complaints Amendment Act, Bill 95, Mr. Scott, Mr. O'Connor, Ms. Gigantes, agreed to 2369

Committee of the whole House

| | |
|--|------|
| Prescription Drug Cost Regulation Act , Bill 55, Mr. Elston, Mr. McClellan, Mr. Nixon, Miss Stephenson, Mr. D. S. Cooke, Mr. Leluk, Mr. Sheppard, reported | 2297 |
| Rental Housing Protection Act , Bill 11, Mr. Curling, Mr. Nixon, Mr. Shymko, Mr. McClellan, Mr. Andrewes, Mr. Reville, Ms. Fish, Ms. Gigantes, Mr. Grande, reported | 2348 |

Third readings/Troisième lecture

| | |
|---|------|
| Health Disciplines Amendment Act , Bill 109, Mr. Elston, agreed to | 2312 |
| Rental Housing Protection Act , Bill 11, Mr. Curling, agreed to | 2372 |
| Ontario Drug Benefit Act , Bill 54, Mr. Elston, agreed to | 2372 |
| Prescription Drug Cost Regulation Act , Bill 55, Mr. Elston, agreed to | 2372 |
| Education Amendment Act , Bill 75, Mr. Conway, agreed to | 2372 |
| Representation Act , Bill 77, Mr. Nixon, agreed to | 2372 |
| Metropolitan Toronto Police Force Complaints Amendment Act , Bill 95, Mr. Scott, agreed to | 2372 |
| Wine Content Amendment Act , Bill 97, Mr. Kwinter, agreed to | 2372 |
| Election Finances Act , Bill 103, Mr. Nixon, agreed to | 2372 |
| Family Law Amendment Act , Bill 111, Mr. Scott, agreed to | 2374 |
| Loi de 1986 modifiant la Loi sur le droit de la famille , loi 111, M. Scott, adoptée | 2374 |

Royal assent

| | |
|--|------|
| The Honourable the Lieutenant Governor | 2374 |
|--|------|

Report by committee

| | |
|--|------|
| Standing committee on the Legislative Assembly , Mr. Breaugh, Mr. Nixon, agreed to .. | 2370 |
|--|------|

Other business

| | |
|--|------|
| Visitor , Mr. Speaker | 2328 |
| Appointments in public sector , Mr. Nixon, tabled | 2344 |
| Adjournment | 2374 |

Appendix A**Answers to questions in Orders and Notices**

Bradley, Hon. J. J., Minister of the Environment:

| | |
|---|------|
| Water quality , question 311, Mrs. Grier | 2395 |
|---|------|

Curling, Hon. A., Minister of Housing:

| | |
|--|------|
| Trip to Amherstburg , question 334, Mr. Reville | 2398 |
|--|------|

Elston, Hon. M. J., Minister of Health:

| | |
|---|------|
| Therapeutic procedures , question 300, Mr. D. S. Cooke | 2391 |
|---|------|

Fulton, Hon. E., Minister of Transportation and Communications:

| | |
|--|------|
| Roadside sites , question 305, Mr. Rowe | 2392 |
|--|------|

| | |
|---|------|
| GO Transit , questions 325 and 326, Mr. Ashe; 327, Mr. Cureatz | 2398 |
|---|------|

Grandmaître, Hon. B. C., Minister of Municipal Affairs:

| | |
|--|------|
| Food land , question 256, Mr. Cousens | 2383 |
|--|------|

Keyes, Hon. K. A., Solicitor General and Minister of Correctional Services:

| | |
|--|------|
| Police commissions , question 277, Mr. Sterling | 2383 |
|--|------|

Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions:

| | |
|--|------|
| Government employees , question 301, Mr. Runciman | 2392 |
|--|------|

| | |
|--|------|
| Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet: | |
| Government contracts , question 324, Mr. Villeneuve | 2398 |
| Small business development corporations program , question 312, Mr. Barlow | 2397 |
| O'Neil, Hon. H. P., Minister of Industry, Trade and Technology: | |
| Board of Industrial Leadership and Development , question 319, Mr. Brandt | 2397 |
| Trade mission , question 168, Mr. Bennett | 2375 |
| Peterson, Hon. D. R., Premier and President of the Council, Minister of Intergovernmental Affairs and Minister of Northern Development and Mines: | |
| Appointments in public sector , questions 209, Mr. Shymko; 211, Mr. Yakabuski; 225 and 226, Mr. Hennessy; 233 and 235, Mr. McNeil; 234, Mr. Mitchell; 251, Mr. Taylor | 2378 |
| Government employees , questions 287 and 288, Mr. McLean | 2390 |
| Scott, Hon. I. G., Attorney General: | |
| Hazardous spill , question 291, Mr. Bernier | 2391 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Behaviour modification , questions 308 and 309, Mr. Cousens | 2393 |
| Van Horne, Hon. R. G., Minister without Portfolio: | |
| Senior citizens' services , question 304, Mr. Dean | 2392 |
| Interim answer , question 320 | 2400 |

Responses to petitions

| | |
|---|------|
| Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions: | |
| Sale of beer and wine , sessional paper | 2400 |
| Scott, Hon. I. G., Attorney General: | |
| Abortion clinics , sessional paper | 2400 |
| Sweeney, Hon. J., Minister of Community and Social Services: | |
| Women in Crisis (Algoma) Inc. , sessional paper | 2399 |

Appendix B

| | |
|--|------|
| Alphabetical list of members of the Legislature of Ontario, members of the executive council, parliamentary assistants and members of committees | 2401 |
|--|------|

SPEAKERS IN THIS ISSUE

| |
|--|
| Alexander, Hon. L. M., Lieutenant Governor Allen, R. (Hamilton West NDP) |
| Andrewes, P. W. (Lincoln PC) |
| Barlow, W. W. (Cambridge PC) |
| Bernier, L. (Kenora PC) |
| Bradley, Hon. J. J., Minister of the Environment (St. Catharines L) |
| Brandt, A. S. (Sarnia PC) |
| Callahan, R. V. (Brampton L) |
| Conway, Hon. S. G., Minister of Education and acting Minister of Government Services (Renfrew North L) |
| Cooke, D. S. (Windsor-Riverside NDP) |
| Cousens, W. D. (York Centre PC) |
| Curling, Hon. A., Minister of Housing (Scarborough North L) |
| Davis, W. C. (Scarborough Centre PC) |

Edighoffer, Hon. H. A., Speaker (Perth L)
Elston, Hon. M. J., Minister of Health (Huron-Bruce L)
Eves, E. L. (Parry Sound PC)
Fish, S. A. (St. George PC)
Foulds, J. F. (Port Arthur NDP)
Gigantes, E. (Ottawa Centre NDP)
Grande, T. (Oakwood NDP)
Grier, R. A. (Lakeshore NDP)
Grossman, L. S. (St. Andrew-St. Patrick PC)
Guindon, L. B. (Cornwall PC)
Haggerty, R. (Erie L)
Hart, C. E. (York East L)
Jackson, C. (Burlington South PC)
Kerrio, Hon. V. G., Minister of Natural Resources and Minister of Energy (Niagara Falls L)
Knight, D. S. (Halton-Burlington L)
Kwinter, Hon. M., Minister of Consumer and Commercial Relations and Minister of Financial Institutions (Wilson Heights L)
Laughren, F. (Nickel Belt NDP)
Leluk, N. G. (York West PC)
Mackenzie, R. W. (Hamilton East NDP)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McCague, G. R. (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McLean, A. K. (Simcoe East PC)
Morin, G. E., Deputy Chairman of the Committees of the Whole House and Acting Speaker (Carleton East L)
Morin-Strom, K. (Sault Ste. Marie NDP)
Munro, Hon. L. O., Minister of Citizenship and Culture (Hamilton Centre L)
Nixon, Hon. R. F., Treasurer of Ontario and Minister of Economics, Minister of Revenue and acting Chairman of the Management Board of Cabinet (Brant-Oxford-Norfolk L)
O'Connor, T. P. (Oakville PC)
Offer, S. (Mississauga North L)
O'Neil, Hon. H. P., Minister of Industry, Trade and Technology (Quinte L)
Partington, P. (Brock PC)
Rae, R. K. (York South NDP)
Reville, D. (Riverdale NDP)
Rowe, W. E. (Simcoe Centre PC)
Scott, Hon. I. G., Attorney General (St. David L)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Smith, E. J. (London South L)
Stephenson, B. M. (York Mills PC)
Stevenson, K. R. (Durham-York PC)
Treleaven, R. L., Deputy Speaker and Chairman of the Committees of the Whole House (Oxford PC)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)

JUN 10 1987

